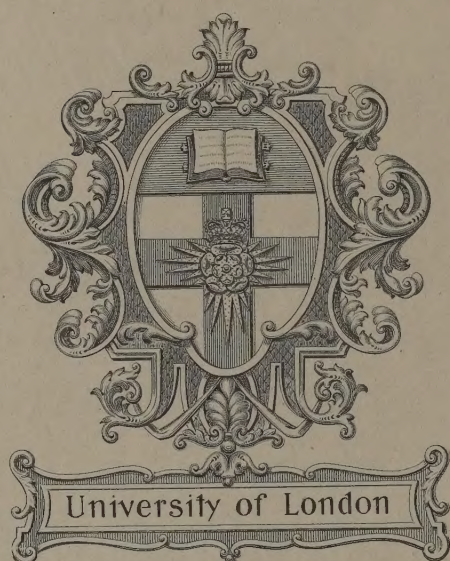






609754

ACCOUNTS AND PAPERS:

FORTY-SEVEN VOLUMES.

— (46.) —

STATE PAPERS.

AUSTRIA-HUNGARY; BELGIUM; CHILE; CHINA;
FRANCE; GERMANY; ITALY; JAPAN;
LIBERIA; MUSKAT; PORTUGAL; ROUMANIA; SIAM;
UNITED STATES; EGYPT.

Session

12 March 1894 — 25 August 1894.

VOL XCVI.

ACCOUNTS AND PAPERS:

1894.

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FORTY-SIXTH VOLUME.

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TREATY SERIES. No. 13.

1894.

CONVENTION

RESPECTING THE

LIQUOR TRAFFIC IN THE NORTH SEA.

Signed at the Hague, November 16, 1887.

Presented to both Houses of Parliament by Command of Her Majesty.
May 1894.

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[C.—7354.]

CONVENTION RESPECTING THE LIQUOR TRAFFIC IN THE NORTH SEA.

Signed at the Hague, November 16, 1887.

SA Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire d'Allemagne, Sa Majesté le Roi des Belges, Sa Majesté le Roi de Danemark, le Président de la République Française, et Sa Majesté le Roi des Pays-Bas, ayant reconnu la nécessité de remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord en dehors des eaux territoriales, ont résolu de conclure à cet effet une Convention, et ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, l'Honorable Sir William Stuart, Commandeur de son Ordre Très Distingué de St.-Michel et de St.-Georges, et Compagnon de son Très Honorable Ordre du Bain, son Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye ;

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, M. le Baron Jean Antoine de Saurma-Feltsch, Chevalier de deuxième classe de ses Ordres de l'Aigle Rouge et la Couronne, &c., son Conseiller Intime de Légation et Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye ;

Sa Majesté le Roi des Belges, M. le Baron Auguste d'Anethan, Grand Officier de son Ordre de Léopold, Chevalier de l'Ordre du Lion Néerlandais, Grand-Croix de l'Ordre de la Couronne de Chêne de Luxembourg, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, et M. Léopold Orban, Commandeur de son Ordre de Léopold, Commandeur de l'Ordre du Lion Néerlandais, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire, Directeur-Général des Affaires Politiques au Ministère des Affaires Étrangères à Bruxelles ;

Sa Majesté le Roi de Danemark, M. Corneille Marius Viruly, Chevalier de son Ordre du Danebrog, Consul de Danemark ;

Le Président de la République Française, M. Louis Désiré Legrand, Officier de l'Ordre National de la Légion d'Honneur, Grand-Croix de l'Ordre du Lion Néerlandais, &c., Envoyé Extraordinaire et Ministre Plénipotentiaire de la République Française à La Haye ;

Sa Majesté le Roi des Pays-Bas, le Jonkheer Abraham Pierre

Corneille van Karnebeek, Chevalier de son Ordre du Lion Néerlandais, &c., son Ministre des Affaires Étrangères ; et M. Édouard Nicolas Rahusen, Chevalier de son Ordre du Lion Néerlandais, &c., Président du Collège des Pêches Maritimes ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ARTICLE I.

Les dispositions de la présente Convention s'appliquent dans la Mer du Nord, en dehors des eaux territoriales, et dans les limites fixées par l'Article IV de la Convention de La Haye du 6 Mai, 1882, sur la Police de la Pêche, à toute personne se trouvant à bord d'un navire ou bâtiment d'une des Hautes Parties Contractantes.

ARTICLE II.

Il est interdit de vendre des boissons spiritueuses aux personnes qui se trouvent à bord de bateaux de pêche ou qui appartiennent à ces bateaux.

Il est interdit à ces personnes d'en acheter.

L'échange de boissons spiritueuses contre tout objet et notamment contre des produits de la pêche, des objets d'armement ou des engins de pêche, est défendu.

Est considérée comme boisson spiritueuse toute liquide provenant de la distillation, et contenant plus de 5 litres d'alcool par hectolitre.

ARTICLE III.

Le droit de faire le débit aux pêcheurs d'approvisionnements et d'autres objets servant à leur usage, à l'exception des boissons spiritueuses, est subordonné à un permis accordé par l'État auquel appartient le navire. Ce permis doit comprendre entre autres les conditions suivantes :—

1. Le navire ne peut avoir à bord une quantité de spiritueux supérieure à celle jugée nécessaire pour la consommation de son équipage ;

2. Tout échange des objets indiqués ci-dessus contre des produits de la pêche, objets d'armement ou engins de pêche, est interdit.

Les navires munis de ce permis devront porter la marque spéciale et uniforme dont les Hautes Puissances Contractantes conviendront.

ARTICLE IV.

Les Hautes Parties Contractantes s'engagent à prendre, ou à proposer à leurs Législatures respectives, les mesures nécessaires pour assurer l'exécution de la présente Convention, et notamment pour faire punir, soit de l'emprisonnement, soit de l'amende, soit de ces deux peines, ceux qui contreviendraient aux Articles II et III.

ARTICLE V

Les Tribunaux compétents pour connaître des infractions aux Articles II et III sont ceux du pays auquel appartient le bâtiment inculpé. Si des navires de nationalité différente sont impliqués dans une même infraction, les Puissances auxquelles appartiennent ces navires communiqueront réciproquement les Jugements rendus par les Tribunaux.

ARTICLE VI.

La poursuite des infractions a lieu par l'État ou en son nom.

Les infractions peuvent être constatées par tous les moyens de preuve admis dans la législation du pays où siège le Tribunal saisi.

ARTICLE VII.

La surveillance est exercée par les bâtiments croiseurs des Hautes Parties Contractantes chargés de la police de la pêche.

Lorsque les officiers commandant ces croiseurs ont lieu de croire qu'une infraction aux mesures prévues par la présente Convention a été commise, ils peuvent exiger du capitaine ou du patron l'exhibition des pièces officielles justifiant de la nationalité de son bâtiment, et, le cas échéant, celle du permis. Mention sommaire de cette exhibition est faite immédiatement sur les pièces produites.

En outre, des procès-verbaux peuvent être dressés par les dits officiers, quelle que soit la nationalité du bâtiment inculpé. Ces procès-verbaux sont dressés suivant les formes et dans la langue en usage dans le pays auquel appartient l'officier; ils peuvent servir de moyen de preuve dans le pays où ils sont invoqués et suivant la législation de ce pays. Les inculpés et les témoins ont le droit d'y ajouter ou d'y faire ajouter, dans leur propre langue, toutes explications qu'ils croient utiles; ces déclarations doivent être dûment signées.

La résistance aux prescriptions des Commandants des bâtiments croiseurs, ou de ceux qui agissent d'après leurs ordres, est, sans tenir compte de la nationalité des croiseurs, considérée comme résistance envers l'autorité nationale.

Si le cas lui semble assez grave pour justifier cette mesure, le Commandant du croiseur aura le droit de conduire le bâtiment en contravention dans un port de la nation à laquelle appartient ce bâtiment.

ARTICLE VIII.

La procédure en matière d'infraction aux dispositions de la présente Convention a toujours lieu aussi sommairement que les Lois et les Règlements le permettent.

ARTICLE IX.

Les Hautes Parties Contractantes se communiqueront, lors de l'échange des ratifications, les Lois qui auront été rendues dans leurs États, relativement à l'objet de la présente Convention.

ARTICLE X.

Les États qui n'ont pris part à la présente Convention sont admis à y adhérer, sur leur demande. Cette adhésion sera notifiée par la voie diplomatique au Gouvernement des Pays-Bas, et par celui-ci aux autres Gouvernements Signataires.

ARTICLE XI.

La présente Convention sera mise à exécution à partir du jour dont les Hautes Parties Contractantes conviendront.

Elle restera en vigueur pendant cinq années à dater de ce jour, et, dans le cas où aucune des Hautes Parties Contractantes n'aurait notifié, douze mois avant l'expiration de la dite période de cinq années, son intention d'en faire cesser les effets, elle continuera à rester en vigueur une année, et ainsi de suite d'année en année.

Si la Convention de La Haye du 6 Mai, 1882, sur la Police de la Pêche cessait d'être en vigueur, l'Article XXVI de la dite Convention continuera à sortir ses effets pour l'objet du présent arrangement.

ARTICLE XII.

La présente Convention sera ratifiée ; les ratifications en seront échangées à La Haye, le plus tôt possible, et, si faire se peut, dans le délai d'un an.

En foi de quoi les Plenipotentiaires respectifs ont signé la présente Convention et y ont apposé leurs cachets.

Fait à La Haye, en six exemplaires, le 16 Novembre, 1887.

(L.S.)	W. STUART.
(L.S.)	Baron SAURMA.
(L.S.)	Baron A. D'ANETHAN.
(L.S.)	LÉOPOLD ORBAN.
(L.S.)	C. M. VIRULY.
(L.S.)	LOUIS LEGRAND.
(L.S.)	V. KARNEBEEK.
(L.S.)	E. N. RAHUSEN.

(Translation.)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the German Emperor, King of Prussia, in the name of the German Empire, His Majesty the King of the Belgians, His Majesty the King of Denmark, the President of the French Republic, and His Majesty the King of the Netherlands, having recognized the necessity of remedying the abuses

arising from the traffic in spirituous liquors amongst the fishermen in the North Sea outside territorial waters, have resolved to conclude a Convention for this purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Sir William Stuart, Knight Commander of Her Most Distinguished Order of St. Michael and St. George, and Companion of Her Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary at the Hague ;

His Majesty the German Emperor, King of Prussia, Baron Jean Antoine de Saurma-Feltsch, Chevalier of the second class of his Orders of the Red Eagle and of the Crown, &c., Privy Councillor of Legation, and Envoy Extraordinary and Minister Plenipotentiary at the Hague ;

His Majesty the King of the Belgians, Baron Auguste d'Anethan, Grand Officer of his Order of Léopold, Chevalier of the Order of the Netherlands Lion, Grand Cross of the Order of the Oaken Crown of Luxembourg, &c., his Envoy Extraordinary and Minister Plenipotentiary at the Hague, and M. Léopold Orban, Commander of His Order of Léopold, Commander of the Order of the Netherlands Lion, &c., his Envoy Extraordinary and Minister Plenipotentiary, Director-General of Political Affairs at the Ministry for Foreign Affairs at Brussels ;

His Majesty the King of Denmark, M. Corneille Marius Viruly, Chevalier of his order of Danebrog, Consul for Denmark ;

The President of the French Republic, M. Louis Désiré Legrand, Officer of the National Order of the Legion of Honour, Grand Cross of the Order of the Netherlands Lion, &c., Envoy Extraordinary and Minister Plenipotentiary of the French Republic at the Hague ;

His Majesty the King of the Netherlands, the Jonkheer Abraham Pierre Corneille van Karnebeek, Chevalier of his Order of the Netherlands Lion, &c., his Minister for Foreign Affairs, and M. Édouard Nicolas Rahusen, Chevalier of his Order of the Netherlands Lion, &c., President of the College of Marine Fisheries :

Who, after having communicated their full powers, found in good and due form, have agreed upon the following Articles :—

ARTICLE I.

The provisions of the present Convention shall apply in the North Sea, outside territorial waters, and within the limits fixed by Article IV of the Convention of the Hague of the 6th May, 1882, respecting the police of the fisheries to every person on board a ship or boat of any one of the High Contracting Parties.

ARTICLE II.

The sale of spirituous liquors to persons on board or belonging to fishing-boats is forbidden.

The purchase of those liquors by such persons is forbidden.

The exchange of spirituous liquors for any article, and especially for products of the fisheries, gear or equipments of fishing-boats, or fishing implements, is forbidden.

Every liquid obtained by distillation, and containing more than 5 litres of alcohol per hectolitre, shall be considered a spirituous liquor.

ARTICLE III.

The liberty to deal with fishermen in provisions and other articles for their use (spirituous liquors excepted) shall be subject to a licence to be granted by the Government of the country to which the vessel belongs. This licence must specify the following amongst other conditions :—

1. The vessel may not have on board a quantity of spirits greater than what is deemed requisite for the consumption of her crew.

2. All exchange of the articles above indicated for products of the fisheries, gear or equipments of fishing-boats, or fishing implements is forbidden.

Vessels provided with this licence must carry a special and uniform mark to be agreed upon by the High Contracting Powers.

ARTICLE IV.

The High Contracting Parties engage to take, or to propose to their respective Legislatures, the necessary measures for insuring the execution of the present Convention, and especially for punishing, by either fine or imprisonment, or by both, those who may contravene Articles II and III.

ARTICLE V.

The Tribunals competent to take cognizance of infractions of Articles II and III are those of the country to which the accused vessel belongs. If vessels of different nationalities should be implicated in the same infraction, the Powers to which such vessels belong will mutually communicate to each other the Judgments given by the Tribunals.

ARTICLE VI.

Prosecutions for infractions shall be instituted by the State, or in its name.

Infractions may be verified by all means of proof allowed by the legislation of the country of the Court concerned.

ARTICLE VII.

The superintendence shall be exercised by the cruisers of the High Contracting Parties which are charged with the police of the fisheries.

When the officers commanding these cruizers have reason to believe that an infraction of the measures provided for in the present Convention has been committed, they may require the captain or master to exhibit the official documents establishing the nationality of his vessel, and, where the case occurs, the licence. The fact of such documents having been exhibited shall then be indorsed upon them immediately.

Further, formal statements of the facts may be drawn up by the said officers, whatever may be the nationality of the accused vessel. These formal statements shall be drawn up according to the forms and in the language used in the country to which the officer belongs; they may be used as means of proof in the country where they are adduced, and conformably with the laws of that country. The accused and the witnesses shall be entitled to add or to have added thereto, in their own language, any explanations which they may think useful. These declarations must be duly signed.

Resistance to the directions of Commanders of cruizers, or of those who act under their orders, shall, without taking into account the nationality of the cruizers, be considered as resistance to national authority.

The Commander of the cruiser may, if the case appears to him sufficiently serious to justify the step, take the offending boat into a port of the nation to which she belongs.

ARTICLE VIII.

The proceedings in respect of infractions of the provisions of the present Convention shall always take place as summarily as the Laws and Regulations will permit.

ARTICLE IX.

The High Contracting Parties will communicate to each other, at the time of the exchange of ratifications, the Laws which shall have been made in their respective countries in relation to the object of the present Convention.

ARTICLE X.

States which have not signed the present Convention may adhere to it on making a request to that effect. This adhesion shall be notified through the diplomatic channel to the Government of the Netherlands, and by the latter to the other Signatory Powers.

ARTICLE XI.

The present Convention shall be brought into operation from and after a day to be agreed upon by the High Contracting Parties.

It shall remain in force for five years from that day, and, unless any of the High Contracting Parties shall, twelve months before the expiration of the said period of five years, have given notice of its intention to terminate its operation, it shall remain in force for one year longer, and so on from year to year.

If the Convention of the Hague of the 6th May, 1882, respecting the police of the fisheries, should cease to be in force, Article XXVI of the same Convention shall continue to operate as regards the object of the present arrangement.

ARTICLE XII.

The present Convention shall be ratified ; the ratifications shall be exchanged at the Hague as soon as possible, and, if practicable, within a year.

In witness whereof, the respective Plenipotentiaries have signed the present Convention, and have thereto affixed their seals.

Done at the Hague, in six copies, the 16th November, 1887.

(L.S.)	W. STUART.
(L.S.)	Baron SAURMA.
(L.S.)	Baron A. D'ANETHAN
(L.S.)	LEOPOLD ORBAN.
(L.S.)	C. M. VIRULY.
(L.S.)	LOUIS LEGRAND.
(L.S.)	v. KARNEBEEK.
(L.S.)	E. N. RAHUSEN.

Protocole.

Considérant qu'il résulte des communications reçues par le Gouvernement des Pays-Bas que le Gouvernement de la République Française n'est pas à même pour le moment de procéder à la ratification de la Convention, signée à La Haye, le 16 Novembre, 1887, pour remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord en dehors des eaux territoriales, les soussignés, Plénipotentiaires de la Grande-Bretagne, d'Allemagne, de Belgique, de Danemark et Ministre des Affaires Étrangères du Royaume des Pays-Bas, réunis en Conférence au Ministère des Affaires Étrangères à La Haye aujourd'hui, le 14 Février, 1893, et dûment autorisés à cet effet, sont convenus de ce qui suit:—

1. La Convention susdite sera mise en vigueur par les autres Gouvernements signataires, savoir: la Grande-Bretagne, l'Allemagne, la Belgique, le Danemark, et les Pays-Bas, six semaines après qu'ils en auront échangé les ratifications.

2. La faculté d'adhérer stipulée à l'Article X de la dite Convention pour les États non-signataires est étendue à la France.

3. Par dérogation à l'Article XI de la Convention les délais de cinq années et de douze mois sont respectivement réduits à une année et à trois mois.

4. Le présent Protocole, qui sera ratifié en même temps que la Convention à laquelle il se réfère, a été expédié en cinq exemplaires.

(Signé)

HORACE RUMBOLD.
K. DE RANTZAU.
Baron d'ANETHAN.
C. M. VIRULY.
VAN TIENHOVEN.

(Translation.)

Whereas it results from the communications which have been received by the Netherland Government that the French Republic is unable for the moment to proceed to the ratification of the Convention which was signed at the Hague on the 16th November, 1887, in order to remedy the abuse arising from the traffic in spirits among the fishermen in the North Sea outside territorial waters, the undersigned Plenipotentiaries of Great Britain, Germany, Belgium, and Denmark, and the Netherland Minister for Foreign Affairs, assembled in Conference at the Ministry for Foreign Affairs at the Hague on the 14th February, 1893, and duly authorized to that effect, have agreed as follows :—

1. The above-cited Convention shall be put in force by the other Signatory Governments, that is to say, Great Britain, Germany, Belgium, Denmark, and the Netherlands six weeks after the exchange of ratifications.

2. The faculty of accession stipulated by Article X of the said Convention for the non-Signatory States is extended to France.

3. In modification of Article XI of the Convention, the delays of five years and of twelve months are reduced to one year and to three months respectively.

4. The present Protocol, which shall be ratified at the same time as the Convention to which it refers, has been made in five-fold copy.

(Signed)

HORACE RUMBOLD.
K. DE RANTZAU.
Baron d'ANETHAN.
C. M. VIRULY.
VAN TIENHOVEN.

Procès-Verbal.

Les Soussignés, Plénipotentiaires d'Allemagne, de Belgique, de Danemark, de la Grande-Bretagne et des Pays-Bas, États qui ont ratifié la Convention et le Protocole mentionnés ci-dessous, se sont réunis ce jourd'hui au Département des Affaires Étrangères à La Haye :

1. Pour procéder au dépôt des actes de ratification de la Convention, conclue à La Haye le 16 Novembre, 1887, pour remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord en dehors des eaux territoriales, ainsi que du Protocole signé à La Haye le 14 Février, 1893, se rapportant à la dite Convention ;

2. Pour arrêter, en exécution du dernier alinéa de l'Article III de la Convention susmentionnée, la marque spéciale et uniforme que devront porter les navires, munis du permis leur accordant le droit de faire le débit aux pêcheurs d'approvisionnements et d'autres objets servant à leur usage, à l'exception des boissons spiritueuses ;

3. Et enfin pour procéder, conformément à l'Article IX de la Convention précitée, à l'échange réciproque d'un exemplaire des lois qui ont été rendues dans les États susmentionnés relativement à l'objet de cette Convention.

Les actes de ratification des dits cinq États, après avoir été produits et trouvés exacts et concordants, ont été remis au Ministre des Affaires Étrangères de Sa Majesté la Reine des Pays-Bas pour être déposés dans les archives de l'État Néerlandais.

Ensuite les Soussignés sont convenus que la marque spéciale et uniforme du permis dont il s'agit à l'Article III de la Convention, consistera en un pavillon qui devra toujours être arboré au haut du mât principal du navire. Ce pavillon sera blanc avec la lettre S moulée en noir au milieu ; la dimension du dit pavillon est de 2 mètres en carré et celle de la lettre S d'un mètre de hauteur sur 2 décimètres de trait.

Enfin il a été procédé à l'échange d'un exemplaire des lois susmentionnées.

En foi de quoi les Plénipotentiaires ont signé le présent procès-verbal et y ont apposé leurs cachets.

Fait à La Haye le 11 Avril, 1894, en un seul exemplaire dont une copie, certifiée conforme, sera transmise à chacun des États Signataires.

(L.S.)	V. REICHENAU.
(L.S.)	Baron d'ANETHAN.
(L.S.)	C. M. VIRULY.
(L.S.)	HORACE RUMBOLD.
(L.S.)	J. C. JANSEN.

Certifié pour copie conforme :

Le Secrétaire-Général du Département
des Affaires Étrangères,
(Signé) E. ZILCKEN.

La Haye, le 11 Avril, 1894.

(Translation.)

The Undersigned, Plenipotentiaries of Germany, Belgium, Denmark, Great Britain, and the Netherlands, the States which have ratified the Convention and the Protocol mentioned below, have assembled to day at the French Ministry for Foreign Affairs:

1. For the purpose of proceeding to deposit the ratifications of the Convention which was concluded at the Hague on the 16th day of November, 1887, in order to remedy the abuse arising from the traffic in spirits among the fishermen in the North Sea outside territorial waters, as well as of the Protocol which was signed at the Hague on the 14th February, 1893, relating to the said Convention;

2. For determining, in execution of the last paragraph of Article III of the above-mentioned Convention, the distinctive and uniform mark to be carried by the ships which are provided with a licence giving them the right to deal with the fishermen in provisions and other articles for their use, with the exception of spirituous liquors;

3. And finally, for the purpose of proceeding, in conformity with Article IX of the above-cited Convention, to the reciprocal exchange of copies of the Laws which have been made in the above-mentioned States relative to the object of this Convention.

The ratifications of the said five States, after having been produced and found to be in good and due form, have been delivered to the Minister for Foreign Affairs of the Queen of the Netherlands, in order that they may be placed in the archives of the Netherland Government.

Next, the Undersigned have agreed that the distinctive and uniform mark of the licence provided for by Article III of the Convention shall consist of a flag, which must always be hoisted at the top of the main-mast of the ship. This flag shall be white, with the letter S printed in black in the centre; the dimensions of the said flag are 2 metres square, and those of the letter S 1 metre in height, and 2 decimetres in thickness.

Lastly, the exchange of copies of the above-mentioned Laws has taken place.

In witness whereof the Plenipotentiaries have signed the present procès-verbal, and have thereto affixed their seals.

Done at the Hague, the 11th April, 1894, in a single transcript, certified copies of which shall be transmitted to each of the Signatory States.

(L.S.)	V. REICHENAU.
(L.S.)	Baron d'ANETHAN.
(L.S.)	C. M. VIRULY.
(L.S.)	HORACE RUMBOLD.
(L.S.)	J. C. JANSSEN.

Certified correct:

(Signed) E. ZILCKEN,
*The Secretary-General of the Netherland
 Foreign Office.*

The Hague, April 11, 1894.

TREATY SERIES. No. 12.

1894.

CONVENTION

BETWEEN

GREAT BRITAIN AND AUSTRIA-HUNGARY

FOR THE ESTABLISHMENT OF

INTERNATIONAL COPYRIGHT.

Signed at Vienna, April 24, 1893.

[*Ratifications exchanged at Vienna, April 14, 1894.*]

*Presented to both Houses of Parliament by Command of Her Majesty.
May 1894.*

L O N D O N :

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PRINTERS IN ORDINARY TO HER MAJESTY.

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JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.

[C.—7353.]

CONVENTION BETWEEN GREAT BRITAIN AND
AUSTRIA-HUNGARY FOR THE ESTABLISH-
MENT OF INTERNATIONAL COPYRIGHT.

Signed at Vienna, April 24, 1893.

[*Ratifications exchanged at Vienna, April 14, 1894.*]

[A Hungarian version was also attached to the Convention
as signed.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, &c., and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, animated with the desire to secure in the most complete manner, within their respective dominions, the rights of authors, or their legal representatives, over their literary or artistic works, have resolved to conclude a Convention to that effect, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, &c., the Right Honourable Sir Augustus Berkeley Paget, Knight Grand Cross of the Most Honourable Order of the Bath, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty, &c., &c., &c. ;

His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, the Count Gustave Kálnoky

IHRE Majestät die Königin des Vereinigten Königreiches von Grossbritannien und Irland, Kaiserin von Indien, etc., und Seine Majestät der Kaiser von Oesterreich, König von Böhmen, etc., und Apostolischer König von Ungarn, von dem Wunsche beseelt, die Rechte der Urheber von Werken der Literatur oder Kunst und der Rechtsnachfolger der Urheber in den beiderseitigen Staatsgebieten in wirksamer Weise zu sichern, haben beschlossen, zu diesem Behufe einen besonderen Vertrag zu schliessen und demgemäss zu Ihren Bevollmächtigten ernannt:

Ihre Majestät die Königin des Vereinigten Königreiches von Grossbritannien und Irland, Kaiserin von Indien, etc., den sehr ehrenwerthen Sir Augustus Berkeley Paget, Grosskreuz des höchst ehrenwerthen Bath-Ordens, Mitglied des höchst ehrenwerthen geheimen Rathes Ihrer Britannischen Majestät, Ihrer Majestät ausserordentlichen und bevollmächtigten Botschafter bei Seiner kaiserlichen und königlichen Apostolischen Majestät, etc., etc., etc. ;

Seine Majestät der Kaiser von Oesterreich, König von Böhmen, etc., und Apostolischer König von Ungarn, den Herrn Gustav

de Köröspatak, Knight of the Golden Fleece, Knight Grand Cross of the Order of St. Stephen, Knight of the Order of Leopold, His Imperial and Royal Apostolic Majesty's Privy Councillor and Chamberlain, Minister of the Imperial House and of Foreign Affairs, General of Cavalry, &c., &c.;

Who, having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Authors of literary or artistic works and their legal representatives, including publishers, shall enjoy reciprocally, in the dominions of the High Contracting Parties, the advantages which are, or may be, granted by law there for the protection of works of literature or art.

Consequently, authors of literary or artistic works which have been first published in the dominions of one of the High Contracting Parties, as well as their legal representatives, shall have in the dominions of the other High Contracting Party the same protection and the same legal remedy against all infringement of their rights as if the work had been first published in the country where the infringement may have taken place.

In the same manner, the authors of literary or artistic works, and their legal representatives, who are subjects of one of the High Contracting Parties, or who reside within its dominions, shall in the dominions of

Grafen Kálnoky von Köröspatak, Ritter des Ordens vom goldenen Vliesse, Grosskreuz des St. Stephan-Ordens, Ritter des Leopold-Ordens, Allerhöchst Ihren Geheimen Rath und Kämmerer, Minister des kaiserlichen Hauses und des Aeussern, General der Cavallerie, etc., etc., etc.;

Welche, nachdem sie sich gegenseitig ihre Vollmachten mitgetheilt und dieselben in guter und gehöriger Ordnung befunden, die folgenden Artikel vereinbart haben:—

ARTIKEL I.

Die Urheber von Werken der Literatur oder Kunst und deren Rechtsnachfolger mit Inbegriff der Verleger sollen in den Staatsgebieten der hohen vertragschliessenden Theile gegenseitig sich der Vortheile zu erfreuen haben, welche daselbst zum Schutze von Werken der Literatur oder Kunst gesetzlich eingeräumt sind oder eingeräumt werden.

Es werden daher die Urheber von Werken der Literatur oder Kunst, deren Werke in dem Gebiete des einen der hohen vertragschliessenden Theile zuerst veröffentlicht worden sind, ebenso wie ihre Rechtsnachfolger in dem Gebiete des anderen Theiles denselben Schutz und dieselbe rechtliche Hilfe gegen jede Beeinträchtigung ihrer Rechte geniessen, als wenn das Werk dort zuerst veröffentlicht worden wäre, wo die Beeinträchtigung erfolgt ist.

In gleicher Weise werden die Urheber von Werken der Literatur oder Kunst und deren Rechtsnachfolger, welche einem der hohen vertragschliessenden Theile als Staatsbürger angehören oder in dessen Gebiet

the other Contracting Party enjoy the same protection and the same legal remedies against all infringements of their rights as though they were subjects of or residents in the State in which the infringement may have taken place.

These advantages shall only be reciprocally guaranteed to authors and their legal representatives when the work in question is also protected by the laws of the State where the work was first published, and the duration of protection in the other country shall not exceed that which is granted to authors and their legal representatives in the country where the work was first published.

ARTICLE II.

The right of translation forming part of the copyright, the protection of the right of translation is assured under the conditions laid down by this Convention. If ten years after the expiry of the year in which a work to be protected in Her Majesty's dominions on the basis of this Convention has appeared, no translation in English has been published the right of translating the work into English shall no longer within those dominions exclusively belong to the author.

In the case of a book published in numbers, the aforesaid period of ten years shall commence at the end of the year in which each number is published.

wohnen, in dem Gebiete des anderen Theiles denselben Schutz und dieselbe rechtliche Hilfe gegen jede Beeinträchtigung ihrer Rechte geniessen, als wenn sie dort, wo die Beeinträchtigung erfolgt ist, staatsangehörig oder wohnhaft wären.

Diese Vortheile sollen den Urhebern und ihren Rechtsnachfolgern jedoch gegenseitig nur in dem Falle gewährt werden, wenn das betreffende Werk auch durch die Gesetze des Staates, wo das Werk zuerst veröffentlicht worden ist, geschützt ist und sollen in dem anderen Gebiete nicht über die Frist hinaus dauern, welche durch die Gesetze des Staates, wo das Werk zuerst veröffentlicht worden ist, den Urhebern und ihren Rechtsnachfolgern eingeräumt ist.

ARTIKEL II.

Da das Uebersetzungsrecht einen Bestandtheil der Urheberrechte bildet, so ist insbesondere auch der Schutz des Uebersetzungsrechtes unter den in dieser Convention enthaltenen Bedingungen gewährleistet.

Wenn zehn Jahre nach Ablauf des Jahres, in welchem ein auf Grund dieser Convention in den Staatsgebieten Ihrer Majestät zu schützendes Werk erschienen ist, eine Uebersetzung in die englische Sprache nicht herausgegeben worden ist, so soll das Recht zur Uebersetzung des Werkes in die englische Sprache auch in den bezeichneten Staatsgebieten dem Urheber nicht mehr ausschliesslich zustehen.

Wurde ein Buch in Lieferungen veröffentlicht, so beginnt die oben bestimmte zehnjährige Frist mit dem Ende jenes Jahres, in welchem jede einzelne Lieferung veröffentlicht worden ist.

ARTICLE III.

Authorized translations are protected as original works. They consequently enjoy the full protection granted by this Convention against the unauthorized reproduction of original works.

It is understood that in the case of a work for which the translating right has fallen into the public domain, the translator cannot oppose the translation of the same work by other writers.

ARTICLE IV.

The expression "literary or artistic works" comprehends books, pamphlets, and all other writings; dramatic or dramatico-musical works, musical compositions, with or without words; works of design, painting, sculpture, and engraving, lithographs, illustrations, geographical charts, plans, sketches, and plastic works relating to geography, topography, architecture, or science, in general; in fact, every production whatsoever in the literary, scientific, or artistic domain which can be published by any mode of impression or reproduction.

ARTICLE V.

In the British Empire, and in the Kingdoms and States represented in the Austrian Reichsrath, the enjoyment of the rights secured by the present Convention is subject only to the accomplishment of the conditions and formalities prescribed by the law

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ARTIKEL III.

Rechtmässige Uebersetzungen werden wie Originalwerke geschützt. Sie geniessen demzufolge den vollen Schutz, welcher durch den gegenwärtigen Vertrag rücksichtlich der unbefugten Wiedergabe von Originalwerken festgesetzt ist.

Wenn es sich indessen um ein Werk handelt, betreffs dessen das Recht zur Uebersetzung allgemein freisteht, so steht dem Uebersetzer kein Einspruch gegen die Uebersetzung des Werkes durch andere Schriftsteller zu.

ARTIKEL IV.

Der Ausdruck "Werke der Literatur oder Kunst" umfasst Bücher, Broschüren und alle anderen Schriftwerke; dramatische und dramatisch - musikalische Werke, musikalische Compositionen mit oder ohne Text; Werke der zeichnenden Kunst, der Malerei, der Bildhauerei, Stiche, Lithographien, Illustrationen, geographische Karten, geographische, topographische, architektonische oder sonstige wissenschaftliche Pläne, Skizzen und Darstellungen plastischer Art; überhaupt jedes Erzeugniss aus dem Bereiche der Literatur, Wissenschaft oder Kunst, welches im Wege des Drucks oder sonstiger Vervielfältigung veröffentlicht werden kann.

ARTIKEL V.

Im britischen Reiche und in den im österreichischen Reichsrathe vertretenen Königreichen und Ländern ist der Genuss der durch den gegenwärtigen Vertrag gewährleisteten Rechte nur von der Erfüllung jener Bedingungen und Förmlichkeiten

B 2

of that State in which the work is first published; and no further formalities or conditions shall be required in the other country.

Consequently, it shall not be necessary that a work which has obtained legal protection in one country should be registered, or copies thereof deposited in the other country, in order that the remedies against infringement may be obtained which are granted in the other country to works first published there.

In the dominions of the Hungarian Crown the enjoyment of these rights is subject, however, to the accomplishment of the conditions and formalities prescribed by the Laws and Regulations both of Great Britain and of Hungary.

ARTICLE VI.

In order that the authors of works protected by the present Convention shall, in the absence of proof to the contrary, be considered as such, and be, consequently, admitted to institute proceedings in respect of the infringement of copyright before the Courts of the other State, it will suffice that their name be indicated on the work in the accustomed manner.

The Tribunals may, however, in cases of doubt, require the production of such further evidence as may be required by the Laws of the respective countries.

For anonymous or pseudonymous works, the publisher whose

abhängig, welche durch die Gesetzgebung des Staates, wo das Werk zuerst veröffentlicht worden ist, vorgeschrieben sind, und werden keine weiteren Formlichkeiten und Bedingungen in dem anderen Gebiete gefordert werden.

Es ist daher nicht nothwendig, dass ein in dem einen Gebiete gesetzlich geschütztes Werk in dem anderen eingetragen werde, oder dass Abdrücke oder Abzüge desselben dort hinterlegt werden, um jene rechtliche Hilfe gegen Beeinträchtigung zu erlangen, welche in dem anderen Lande den daselbst zuerst veröffentlichten Werken gewährt wird.

In den Ländern der ungarischen Krone ist der Genuss dieser Rechte indessen von der Erfüllung der Bedingungen und Förmlichkeiten abhängig, welche durch die Gesetze und Vorschriften sowohl Grossbritanniens als auch Ungarns vorgeschrieben sind.

ARTIKEL VI.

Damit die Urheber der durch den gegenwärtigen Vertrag geschützten Werke bis zum Beweise des Gegentheiles als solche angesehen und demgemäss vor den Gerichten des anderen hohen vertragschliessenden Theiles zur Verfolgung von Beeinträchtigungen der Urheberrechte zugelassen werden, genügt es, wenn ihr Name in der üblichen Weise auf dem Werke angegeben ist.

Dessenungeachtet können die Gerichte in zweifelhaften Fällen die Beibringung einer solchen weiteren Bescheinigung verlangen, wie dieselbe nach den Gesetzen des betreffenden Gebietes gefordert werden kann.

Bei anonymen oder pseudonymen Werken ist der Verleger,

name is indicated on the work is entitled to protect the rights belonging to the author. He is, without other proof, reputed the legal representative of the anonymous or pseudonymous author, until the latter or his legal representative has declared and proved his rights.

dessen Name auf dem Werke angegeben ist, zur Wahrnehmung der dem Urheber zustehenden Rechte befugt. Derselbe gilt ohne weiteren Beweis als Rechtsnachfolger des anonymen oder pseudonymen Urhebers, bis nicht der Urheber oder sein Rechtsnachfolger ihre Rechte offenbar machen und nachweisen.

ARTICLE VII.

The provisions of the present Convention cannot in any way derogate from the right of each of the High Contracting Parties to control, or to prohibit by measures of domestic legislation or police, the circulation, representation, exhibition, or sale of any work or production.

Each of the High Contracting Parties reserves also its right to prohibit the importation into its own territory of works which, according to its internal Laws, or to the stipulations of Treaties with other States, are or may be declared to be illicit reproductions.

ARTICLE VIII.

The provisions of the present Convention shall be applied to literature or artistic works produced prior to the date of its coming into effect, subject, however, to the limitations prescribed by the following Regulations:—

(a.) In the Austro-Hungarian Monarchy—

ARTIKEL VII.

Die Bestimmungen des gegenwärtigen Vertrages sollen in keiner Beziehung das jedem der hohen vertragschliessenden Theile zustehende Recht beeinträchtigen, durch Massregeln der Gesetzgebung oder inneren Verwaltung die Verbreitung, die Aufführung, die Ausstellung oder das Feilbieten eines jeden Werkes oder Erzeugnisses zu überwachen oder zu untersagen.

Jedem der hohen vertragschliessenden Theile bleibt gleicherweise das Recht gewahrt, die Einfuhr solcher Werke in sein eigenes Gebiet zu verbieten, welche nach seinen inneren Gesetzen oder in Gemässheit seiner vertragsmässigen Vereinbarungen mit anderen Staaten als unerlaubte Wiedergabe erklärt sind oder erklärt werden.

ARTIKEL VIII.

Die Bestimmungen dieses Vertrages sollen auch auf Werke der Literatur oder Kunst Anwendung finden, welche vor dem Inkrafttreten desselben hergestellt worden sind.

Hiebei haben jedoch die aus den nachstehenden Anordnungen sich ergebenden Beschränkungen platzzugreifen, und zwar:—

(a.) In der österreichisch-ungarischen Monarchie—

Copies completed before the coming into force of the present Convention, the production of which has been hitherto allowed, can also be circulated in future.

In the same manner, appliances for the reproduction of works, such as stereotypes, wood-blocks, and engraved plates of every description, such as lithographers' stones, if their production has not hitherto been prohibited may continue to be used during a period of four years from the coming into force of the present Convention.

The distribution of such copies, and the use of the said appliances, is, however, only permitted if an inventory of the said copies and appliances is taken by the Government in question, in consequence of an application of the interested party, within three months from the coming into force of the present Convention, and if these copies and appliances are marked with a special stamp.

Dramatic and dramatico-musical works, or musical compositions legally performed before the coming into force of the present Convention, can also be performed in the future.

(b.) In the United Kingdom of Great Britain and Ireland—

The author and publisher of any literary or artistic work first produced before the date at which this Convention comes into effect shall be entitled to all legal remedies against infringement; provided that where any person has, before the date of the publication of the Order

Die vor dem Inkrafttreten dieses Vertrages angefertigten Exemplare, deren Herstellung bisher erlaubt war, können auch ferner verbreitet werden.

Desgleichen können die Vorrichtungen zur Vervielfältigung der Werke, wie Stereotypen, Holzstöcke und gestochene Platten aller Art, sowie lithographische Steine, wenn deren Herstellung bisher nicht verboten war, während eines Zeitraumes von vier Jahren vom Inkrafttreten des gegenwärtigen Vertrages an noch benützt werden.

Die Verbreitung solcher Exemplare und die Benützung der bezeichneten Vorrichtungen ist aber nur dann gestattet, wenn infolge eines von der beteiligten Partei binnen drei Monaten von dem Inkrafttreten dieses Vertrages gestellten Ansuchens durch die betreffende Regierung ein Inventar der bezeichneten Exemplare und Vorrichtungen aufgenommen wurde, und diese Exemplare und Vorrichtungen mit einem besonderen Stempel versehen worden sind.

Die vor dem Inkrafttreten des gegenwärtigen Vertrages rechtmässig zur Aufführung gebrachten dramatischen oder dramatisch-musikalischen Werke und musikalischen Compositionen können auch ferner aufgeführt werden.

(b.) Im vereinigten Königreiche Grossbritannien und Irland—

Der Urheber und der Herausgeber irgend eines Werkes der Literatur oder Kunst, welches vor dem Tage, an dem dieser Vertrag in Wirksamkeit tritt, hergestellt worden ist, soll zu allen gesetzlichen Rechtsmitteln gegen Beeinträchtigung befugt sein; wenn jedoch irgend

in Council putting this Convention into effect, lawfully produced any work in the United Kingdom, any rights or interests arising from or in connection with such production, which are subsisting and valuable at the said date, shall not be diminished or prejudiced.

ARTICLE IX.

The provisions of the present Convention shall apply to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the provisions of the present Conventions shall apply to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of His Imperial and Royal Apostolic Majesty within two years from the date of the exchange of ratifications of the present Convention.

Jemand vor der Veröffentlichung der Regierungsverordnung, welche diesen Vertrag in Wirksamkeit setzt, ein Werk in dem vereinigten Königreiche rechtmässig hergestellt hat, so sollen alle Rechte und Interessen, die aus einer solchen oder im Zusammenhange mit einer solchen Herstellung entstanden sind, und welche in dem bezeichneten Zeitpunkte bestehen und in Geltung sind, nicht vermindert oder beeinträchtigt werden.

ARTIKEL IX.

Die Bestimmungen des gegenwärtigen Vertrages sollen Anwendung finden in allen Colonien und auswärtigen Besitzungen Ihrer britannischen Majestät mit Ausnahme der hier nachbenannten, also mit Ausnahme von—

Indien.
Das Gebiet von Canada.
Neufundland.
Capland.
Natal.
Neu-Süd-Wales.
Victoria.
Queensland.
Tasmanien.
Süd-Australien.
West-Australien.
Neu-Seeland.

Sollen jedoch die Bestimmungen des gegenwärtigen Vertrages auf eine der obengenannten Colonien oder auswärtigen Besitzungen zur Anwendung gelangen, so hat zu diesem Ende durch Ihrer britannischen Majestät Vertreter bei Seiner kaiserlichen und königlichen Apostolischen Majestät eine betreffende Erklärung abgegeben zu werden, und zwar innerhalb zweier Jahre vom Tage des Austausches der Ratifikationen des gegenwärtigen Vertrages.

ARTICLE X.

The present Convention shall remain in force for ten years from the day on which the ratifications are exchanged; and in case neither of the two High Contracting Parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present Convention, it shall remain in force until the expiration of one year from the day on which either of the High Contracting Parties shall have given such notice.

Her Britannic Majesty's Government shall also have the right to denounce the Convention in the same manner, on behalf of any of the Colonies or foreign possessions mentioned in Article IX, separately.

ARTICLE XI.

The present Convention shall be ratified, and the ratifications shall be exchanged at Vienna as soon as possible. It shall come into effect ten days after its publication in conformity with the forms prescribed by the Laws of the High Contracting Parties respectively.

In witness whereof, the respective Plenipotentiaries have signed this Convention, and have hereunto affixed their seals.

Done at Vienna, the 24th day of April, in the year of our Lord one thousand eight hundred and ninety-three.

(L.S.) (Signed)
(L.S.)

ARTIKEL X.

Der gegenwärtige Vertrag wird durch zehn Jahre von dem Tage des Austausches der Ratifikationen in Kraft bleiben, und in dem Falle, dass keiner der hohen vertragschliessenden Theile zwölf Monate vor dem Ablaufe des besagten zehnjährigen Zeitraumes seine Absicht den gegenwärtigen Vertrag aufhören zu lassen, kundgibt, wird der gegenwärtige Vertrag in Kraft verbleiben bis zum Ablaufe eines Jahres, von dem Tage ab gerechnet, an welchem einer der hohen vertragschliessenden Theile eine solche Erklärung abgibt.

Ihrer britannischen Majestät Regierung steht auch das Recht zu, den Vertrag in derselben Weise rücksichtlich einer der im Artikel IX erwähnten Colonien oder auswärtigen Besitzungen einzeln zu kündigen.

ARTIKEL XI.

Der gegenwärtige Vertrag soll ratificirt, und die Ratifikationsurkunden sollen sobald als möglich in Wien ausgetauscht werden. Er wird zehn Tage nach seiner in Gemässheit der nach den einschlägigen Gesetzen der hohen vertragschliessenden Theile erfolgten Verlautbarung in Wirksamkeit treten.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten den gegenwärtigen Vertrag unterfertigt und mit ihrem Siegel versehen.

So geschehen, in Wien am 24 Tage des Monats April im Jahre des Heiles Eintausend achthundert dreiundneunzig.

A. B. PAGET.
KÁLNOKY.

TREATY SERIES. No. 15.

1894.

AGREEMENT

BETWEEN

GREAT BRITAIN AND HIS MAJESTY
KING LEOPOLD II, SOVEREIGN OF THE
INDEPENDENT STATE OF THE CONGO,

RELATING TO THE

SPHERES OF INFLUENCE OF GREAT
BRITAIN AND THE INDEPENDENT STATE
OF THE CONGO IN EAST AND CENTRAL
AFRICA.

Signed at Brussels, May 12, 1894.

Presented to both Houses of Parliament by Command of Her Majesty.
May 1894.

L O N D O N :

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90, West Nile Street, Glasgow; or
HODGES, FIGGIS & Co., Limited, 104, Grafton Street, Dublin.

[C.—7358.]

AGREEMENT BETWEEN GREAT BRITAIN AND
HIS MAJESTY KING LEOPOLD II, SOVE-
REIGN OF THE INDEPENDENT STATE OF
THE CONGO, RELATING TO THE SPHERES
OF INFLUENCE OF GREAT BRITAIN AND
THE INDEPENDENT STATE OF THE CONGO
IN EAST AND CENTRAL AFRICA.

Signed at Brussels, May 12, 1894.

THE Undersigned, the Honourable Sir Francis Richard Plunkett, a Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the King of the Belgians, on behalf of the British Government, and M. van Eetvelde, Officer of the Order of Leopold, Grand Cross of the Orders of St. Gregory the Great, of Christ of Portugal, and of the African Redemption, &c., Secretary of State of the Interior of the Independent State of the Congo, on behalf of the Government of the Independent State of the Congo, duly authorized by their respective Governments, have agreed as follows:

His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo, having recognized the British sphere of influence, as laid down in the Anglo-German Agreement of the 1st July, 1890, Great Britain undertakes to give to His Majesty a lease of territories in the western basin of the Nile, under the conditions specified in the following Articles:—

ARTICLE I.

(a.) It is agreed that the sphere of influence of the Independent Congo State shall be limited to the north of the German sphere in East Africa by a frontier following the 30th meridian east of Greenwich up to its intersection by the watershed between the Nile and the Congo, and thence following this watershed in a northerly and north-westerly direction.

(b.) The frontier between the Independent Congo State and the British sphere to the north of the Zambesi shall follow a line running direct from the extremity of Cape Akalunga on Lake Tanganika, situated at the northernmost point of Cameron Bay at about $8^{\circ} 15'$ south latitude, to the right bank of the River Luapula, where this river issues from Lake Moero. The line shall then be drawn directly to the entrance of the river into the lake, being, however, deflected towards the south of the lake so as to give the Island of Kilwa to Great Britain. It shall then follow the "thalweg" of the Luapula up to its issue from Lake Bangweolo. Thence it shall run southwards along the meridian of longitude of the point where the river leaves the lake to the watershed between the Congo and Zambesi, which it shall follow until it reaches the Portuguese frontier.

ARTICLE II.

Great Britain grants a lease to His Majesty King Leopold II, Sovereign of the Independent Congo State, of the territories hereinafter defined, to be by him occupied and administered on the conditions and for the period of time hereafter laid down.

The territories shall be bounded by a line starting from a point situated on the west shore of Lake Albert, immediately to the south of Mahagi, to the nearest point of the frontier defined in paragraph (a) of the preceding Article. Thence it shall follow the watershed between the Congo and the Nile up to the 25th meridian east of Greenwich, and that meridian up to its intersection by the 10th parallel north, whence it shall run along that parallel directly to a point to be determined to the north of Fashoda. Thence it shall follow the "thalweg" of the Nile southward to Lake Albert, and the western shore of Lake Albert to the point above indicated south of Mahagi.

This lease shall remain in force during the reign of His Majesty Leopold II, Sovereign of the Independent Congo State.

Nevertheless, at the expiration of His Majesty's reign, it shall remain fully in force as far as concerns all the portion of the territories above mentioned situated to the west of the 30th meridian east of Greenwich, as well as a strip of 25 kilom. in breadth, to be delimited by common consent, stretching from the watershed between the Nile and the Congo up to the western shore of Lake Albert, and including the port of Mahagi.

This extended lease shall be continued so long as the Congo territories as an Independent State or as a Belgian Colony remain under the sovereignty of His Majesty and His Majesty's successors.

Throughout the continuance of a lease there shall be used a special flag in the leased territories.

ARTICLE III.

The Independent Congo State grants under lease to Great Britain, to be administered when occupied, under the conditions

and for the period hereafter determined, a strip of territory 25 kilom. in breadth, extending from the most northerly port on Lake Tanganika, which is included in it, to the most southerly point of Lake Albert Edward.

This lease will have similar duration to that which applies to the territories to the west of the 30th meridian east of Greenwich.

ARTICLE IV.

His Majesty King Leopold II, Sovereign of the Independent Congo State, recognizes that he neither has nor seeks to acquire any political rights in the territories ceded to him under lease in the Nile Basin other than those which are in conformity with the present Agreement.

Similarly, Great Britain recognizes that she neither has, nor seeks to acquire, any political rights in the strip of territory granted to her on lease between Lake Tanganika and Lake Albert Edward other than those which are in conformity with the present Agreement.

ARTICLE V.

The Independent Congo State authorizes the construction through its territories by Great Britain, or by any Company duly authorized by the British Government, of a line of telegraph connecting the British territories in South Africa with the British sphere of influence on the Nile. The Government of the Congo State shall have facilities for connecting this line with its own telegraphic system.

This authorization shall not confer on Great Britain or any Company, person or persons, delegated to construct the telegraph line, any rights of police or administration within the territory of the Congo State.

ARTICLE VI.

In the territories under lease in this Agreement the subjects of each of the Contracting Parties shall reciprocally enjoy equal rights and immunities, and shall not be subjected to any differential treatment of any kind.

In witness whereof the Undersigned have signed the present Agreement, and have affixed thereto the seal of their arms.

Done in duplicate at Brussels, this 12th day of May, 1894.

(L.S.) FRANCIS RICHARD PLUNKETT.
(L.S.) EDM. VAN EETVELDE.

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No. 1.

Sir F. Plunkett to M. van Eetvelde.

British Legation, Brussels,

M. le Secrétaire d'État, *May 12, 1894.*

THE Earl of Kimberley, in authorizing me to sign the Agreement of this day's date for a lease of certain territories in the British sphere of influence in East Africa to His Majesty King Leopold II, has directed me to record the assurance that the parties to the Agreement do not ignore the claims of Turkey and Egypt in the basin of the Upper Nile.

I avail, &c.

(Signed) F. R. PLUNKETT.

No. 2.

M. van Eetvelde to Sir F. Plunkett.

Sir,

Brussels, May 12, 1894.

IN signing, on behalf of His Majesty Leopold II, the Agreement of this day's date, for a lease of certain territories in the British sphere of influence in East Africa, I reciprocate the assurance that the parties to the Agreement do not ignore the claims of Turkey and Egypt in the basin of the Upper Nile.

I avail, &c.

(Signed) EDM. VAN EETVELDE.

No. 3.

M. van Eetvelde to Sir F. Plunkett.

M. le Ministre,

Bruxelles, le 12 Mai, 1894.

AU cours des pourparlers auxquels a donné lieu la Convention de ce jour entre l'État Indépendant du Congo et la Grande-Bretagne, j'ai eu l'occasion de déclarer à votre Excellence que l'État du Congo s'engage à autoriser, le cas échéant, les recrutements de soldats que les Agents dûment commissionnés à cet effet par les autorités Britanniques désireraient effectuer dans les territoires situés entre le 30^e méridien et le Lac Albert.

J'ai l'honneur de confirmer cet engagement, et je saisis, &c.

(Signé) EDM. VAN EETVELDE.

(Translation.)

M. le Ministre,

Brussels, May 12, 1894.

IN the course of the discussions to which the Convention of to-day between the Independent State of the Congo and Great

Britain has given rise, I have had occasion to declare to you that the State of the Congo engages to authorize, in case of need, such recruitment of soldiers as the Agents duly commissioned for that purpose by the British authorities may wish to effect in the territories situated between the 30th meridian and Lake Albert.

I have the honour to confirm this engagement, and I seize, &c.

(Signed)

EDM. VAN EETVELDE.

No. 4.

Sir F. Plunkett to M. van Eetvelde.

British Legation, Brussels,

May 12, 1894.

M. le Secrétaire d'État,

IN accordance with the wish which you have expressed, I have to convey to your Excellency the assurance, on the part of the Earl of Kimberley, that his Lordship will be ready to recommend to Her Majesty's Secretary of State for the Colonies that facilities shall be given, so far as it may be found to be practicable, for recruitment, under suitable conditions, in the British Colonies on the West Coast of Africa, to facilitate the prompt and complete occupation by His Majesty King Leopold II of the territories in the western basin of the Nile comprised in the lease contained in the Agreement of this day's date.

I avail, &c.

(Signed)

F. R. PLUNKETT.

FURTHER PAPERS

RELATING TO THE

A G R E E M E N T

BETWEEN

GREAT BRITAIN AND HIS MAJESTY THE
KING OF THE BELGIANS,

SOVEREIGN OF THE INDEPENDENT STATE OF THE CONGO,

Signed at Brussels, May 12, 1894.

*Presented to both Houses of Parliament by Command of Her Majesty.
June 1894.*

L O N D O N :

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and His Majesty the King of the Belgians, Sovereign of the
Independent State of the Congo, signed at Brussels, May 12,
1894.

No. 1.

Count Hatzfeldt to the Earl of Kimberley.—(Received June 4.)

(Translation.)

My Lord,

German Embassy, London, June 3, 1894.

MY Government having learnt from the newspapers that, in a Treaty concluded between the British Government and the Government of the Independent Congo State, it was provided that a strip of land situated between Lake Albert Edward and Lake Tanganyika should be leased to the British Government, addressed a representation to the Government of the Congo State with a view to secure the rights guaranteed to the German Government by their Treaty with the Congo State of the 8th November, 1884. They particularly pointed out that the boundaries fixed between the German possessions and the Congo State by that Treaty cannot be altered by the other party without the assent of the Imperial Government.

The Government of the Independent Congo State have admitted that this contention is well founded, and have stated this officially in a note, dated the 29th ultimo, from Count de Grelle to the Imperial Minister at Brussels. A copy is transmitted herewith. Count Alvensleben has been instructed to communicate the inclosed note in reply.

I shall be obliged if your Excellency will be so good as to acknowledge the receipt of my note.

I have, &c.

(Signed) HATZFELDT.

Inclosure 1 in No. 1.

Count de Grelle-Rogier to Count d'Alvensleben.

M. le Comte,

Bruxelles, le 29 Mai, 1894.

COMME suite à notre entretien d'hier, j'ai l'honneur de donner à votre Excellence l'assurance que lorsque le moment sera venu de procéder à la détermination de la bande de 25 kilom. donnée à bail par l'État Indépendant du Congo à la Grande-Bretagne, entre le port le plus septentrional du Tanganika et le Lac Albert Édouard, la limite orientale de cette bande sera fixée de telle façon qu'elle s'écartera au moins de 20 kilom. de la frontière des possessions Allemandes.

Je saisis, &c.

Le Secrétaire d'État,

(Signé) Comte DE GRELLE-ROGIER.

(Translation.)

M. le Comte,

Brussels, May 29, 1894.

IN pursuance of our conversation of yesterday, I have the honour to give your Excellency the assurance that when the time comes to proceed to the delimitation of the strip of 25 kilom. leased by the Independent Congo State to Great Britain, between the most northerly port on Lake Tanganyika and Lake Albert Edward, the eastern limit of that

strip shall be fixed in such a way that it shall be at least 20 kilom. distant from the frontier of the German possessions.

I take, &c.
The Secretary of State,
(Signed) Count DE GRELLE-ROGIER.

Inclosure 2 in No. 1.

Baron Marschall to Count de Grelle-Rogier.

(Translation.)
M. le Comte,

Berlin, June 1, 1894.

COUNT ALVENSLEBEN communicated to me the note which your Excellency addressed to him on the 29th ultimo, and I note, in the name of the Imperial Government, that, according to the assurance given by the Government of the Independent Congo State, should a strip 25 kilom. broad between Lake Albert Edward and Lake Tanganyika be granted on lease to Great Britain, the eastern limit of this strip will be kept at least 20 kilom. distant from the German possessions.

In view of the circumstance that, according to the Treaty of the 8th November, 1884, the Government of the Independent Congo State is responsible for the fulfilment of the obligations attaching to the strip of territory in question until the new occupier has, with the consent of Germany, taken over those obligations, the Imperial Government expect that, before the strip of land is handed over to Great Britain, they will be informed by the Government of the Independent Congo State in sufficiently good time to enable them to secure the rights and interests guaranteed to them by Treaty.

The Imperial Government will put forward their claims in this respect as soon as they receive official notice that the proposed transfer of territory is about to take place.

In the meantime, the Imperial Government reserve to themselves complete freedom of action.

Accept, &c.
(Signed) MARSCHALL.

No. 2.

The Earl of Kimberley to Count Hatzfeldt.

Your Excellency,

Foreign Office, June 5, 1894.

I HAVE the honour to acknowledge receipt of your Excellency's note of the 3rd instant, in which you are so good as to communicate copies of the notes which have been exchanged between the Imperial German Government and the Government of the Independent Congo State on the subject of the Agreement of the 12th ultimo between that State and Her Majesty's Government, under which a strip of territory extending from the most northerly port on Lake Tanganyika to the most southerly point of Lake Albert Edward is leased to Great Britain.

I have to convey to your Excellency the thanks of Her Majesty's Government for this communication, which affords them an opportunity of explaining that, in the negotiations which preceded the signature of the Agreement, the position of the Congo State towards Germany did not escape their attention. They were careful not to interfere in any way with the rights of Germany, with whom they have so long had cordial relations in East Africa.

Her Majesty's Government entirely agree in the view expressed in the correspondence forwarded by your Excellency that the boundary between Germany and the Congo State cannot be altered without the assent of Germany.

As regards the obligations attaching to the strip of territory leased by the Congo State to Great Britain, Her Majesty's Government fully recognize that the stipulations of the Convention between Germany and the Congo State will remain in force, and apply to that strip after it has been handed over to Great Britain.

I have, &c.
(Signed) KIMBERLEY.

No. 3.

Count Hatzfeldt to the Earl of Kimberley.—(Received June 11.)

(Translation.)

My Lord,

German Embassy, London, June 11, 1894.

I COMMUNICATED to my Government the note which your Excellency did me the honour to address to me on the 5th instant. I take act, in their name, that the Royal British Government consider, in accordance with the Imperial Government, that a change cannot be made in the existing frontiers between the German Empire and the Congo State without the assent of Germany.

A change of those frontiers is contemplated by the Contracting Parties in Article III of the Agreement concluded between Great Britain and the Congo State on the 12th May last. For the transfer of a strip of territory, therein described as a "lease," is, in effect, equivalent to a complete cession, in view of the indefiniteness of its duration, and the impossibility of foreseeing its extension. The rights of the German Empire would be thereby infringed, and the aforesaid Agreement would require their assent equally as if the transfer were made by cession. The character of this transfer is not altered by the fact that the Royal British Government bind themselves towards the German Empire to take over all the obligations by which the Congo State is bound in regard to this strip of territory. That is self-evident, according to the principles of international law, and also expressly results from the Treaty of the 8th November, 1884, between the German Empire and the Congo State, according to which, in case of a cession, the transferee has to undertake the obligations of the Congo State towards the German Empire.

Accordingly, the stipulations of Article III of the Agreement of the 12th May last require the acceptance of Germany.

This acceptance will not be given by the Imperial Government until their interests, infringed by this Agreement, shall have received full satisfaction. As far back as the negotiations which led to the conclusion of the Agreement between Germany and Great Britain of the 1st July, 1890, Germany rejected the wish of Great Britain to have such a strip assigned to her, because her political position would thereby have been deteriorated, and her direct trade communications with the Congo State would have been interrupted. Germany will equally be put in this disadvantageous position under all circumstances, whether the strip leased to Great Britain is contiguous to the German frontier or is some kilometres distant from it. By Article III of the before-mentioned Agreement the attempt is made to realize, to the detriment of Germany, the object which was not attained in 1890.

On these grounds the Imperial Government have entered a protest against the Agreement of the 12th May; they will not recognize that Agreement until their rights and interests thereby infringed shall have received full satisfaction.

I have, &c.

(Signed) HATZFELDT.

No. 4.

Sir F. Plunkett to the Earl of Kimberley.—(Received June 18.)

My Lord,

Brussels, June 17, 1894.

I HAVE the honour to forward herewith copy of a note, which was brought to me this morning by M. van Eetvelde, in which his Excellency states that he is instructed by the King to beg I will inform your Lordship that, in view of the difficulties raised by Germany, His Majesty would be greatly obliged to Her Majesty's Government if they would consent to the withdrawal of Article III of the Agreement of the 12th May.

I said I would at once telegraph the substance of this note to your Lordship, and send you a copy by to-night's messenger.

I have, &c.

(Signed) F. R. PLUNKETT.

Inclosure in No. 4.

M. van Eetvelde to Sir F. Plunkett.

M. le Ministre,

Bruxelles, le 17 Juin, 1894.

JE suis chargé par le Roi-Souverain de prier votre Excellence de vouloir bien faire connaître à son Gouvernement qu'en présence des sérieuses difficultés que nous soucite avec l'Allemagne la cession en bail d'une bande entre les Lacs Tanganyika et Albert Edouard, Sa Majesté serait reconnaissante au Gouvernement Britannique s'il voulait consentir au retrait de l'Article III de l'Arrangement du 12 Mai dernier.

Je saisis, &c.

(Signé)

EDMOND VAN EETVELDE.

(Translation.)

Sir,

Brussels, June 17, 1894.

I AM directed by the King Sovereign to beg your Excellency to have the goodness to inform your Government that, in view of the serious difficulties with Germany caused us by the lease of a strip between Lakes Tanganyika and Albert Edward, His Majesty would be grateful to the British Government if they would consent to the withdrawal of Article III of the Agreement of the 12th May last.

I avail, &c.

(Signed)

EDMOND VAN EETVELDE.

No. 5.

The Earl of Kimberley to Sir F. Plunkett.

Sir,

Foreign Office, June 21, 1894.

HER Majesty's Government have given immediate consideration to the note from M. van Eetvelde, inclosed in your despatch of the 17th instant, and conveying a request from His Majesty the King of the Belgians, as Sovereign of the Congo State, that in view of the objections raised by the German Government to the lease provided for in Article III of the Agreement of the 12th May, that Article may be withdrawn.

Her Majesty's Government are willing to meet the King's wishes in this respect.

The object and effect of the Article appear to them to have been greatly misunderstood at Berlin. By the provisions of Article IV, the projected lease was sedulously divested of all political significance. It could only have been used for the purpose for which it was intended, namely, to give to Great Britain the means of constructing, maintaining, and protecting, at her own expense, a line of telegraph, and eventually a road, connecting her East African territories with those within her sphere of influence to the north of the Zambesi.

Such a road could not have diverted nor impeded the communications between the German East African possessions and the Congo State; and Her Majesty's Government would have been perfectly willing at any time to do all that was in their power to facilitate such communications across the strip of territory leased to them.

But the time for the construction of such a road has not yet come; and as regards the more immediate object, the construction of a telegraph line, there are provisions in Article V of the Agreement which will give facilities for its construction.

In these circumstances, while Her Majesty's Government feel that the objections which have been raised to the Article are founded on a misconception, they consent to its withdrawal rather than that it should be a cause of misunderstanding between the Contracting Parties and the German Government.

I transmit to you herewith the draft of Declaration formally recording the withdrawal of the Article, which you are authorized to sign with M. van Eetvelde.*

I am, &c.

(Signed)

KIMBERLEY.

No. 6.

Sir F. Plunkett to the Earl of Kimberley.—(Received June 23.)

My Lord,

Brussels, June 22, 1894.

I HAVE the honour to forward herewith the Declaration which I signed this morning with M. van Eetvelde, in duplicate, as directed by your Lordship's despatch of yesterday, withdrawing Article III of the Agreement of the 12th May of this year between Great Britain and the King of the Belgians, Sovereign of the Independent State of the Congo.

I have, &c.
(Signed) F. R. PLUNKETT.

Inclosure in No. 6.

Declaration signed on the 22nd June, 1894.

IN compliance with the request made by His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo, that the Government of Her Britannic Majesty will consent to the withdrawal of Article III of the Agreement of the 12th May, 1894, the Undersigned, duly authorized by their respective Governments, agree that the said Article be withdrawn.

Done, in duplicate, at Brussels, the 22nd day of June, 1894.

(Signed) F. R. PLUNKETT.
EDMOND VAN EETVELDE.

No. 7.

The Earl of Kimberley to Count Hatzfeldt.

Your Excellency,

Foreign Office, June 26, 1894.

I HAVE had the honour to discuss with you personally the contents of the note which you addressed to me on the 11th instant, stating the objections of the German Government to Article III of the Agreement, signed on the 12th May last, between Great Britain and His Majesty the King of the Belgians, as Sovereign of the Independent State of the Congo, and protesting against the Agreement on that account.

Her Majesty's Government have given those objections their most careful attention, and I propose to address to Her Majesty's Ambassador at Berlin some explanations of the views and objects of Her Majesty's Government in regard to the Article, which will, I hope, enable him to satisfy your Government that there was not, and could not have been, any intention of infringing the rights or injuring the interests of Germany.

But they would greatly regret that such a matter should be allowed to become a cause of difference, or to impair, even for a moment, the friendly feeling happily existing between the two countries, and they are particularly anxious that no action should be taken, and no Agreement entered into by them, that could in any way be deemed by the German Government to be opposed to the spirit and general tenour of their Agreement with Germany of the 1st July, 1890, which was concluded in the mutual interest of the British and German possessions, and to the maintenance of which they attach the greatest value.

They have, therefore, had no hesitation in complying with the request of His Majesty the King of the Belgians, that the Article shall be withdrawn.

I have the honour to inclose herewith copy of a formal Declaration which has been signed at Brussels to that effect,* and I shall be obliged if your Excellency will at once bring it to the knowledge of your Government.

I have, &c.
(Signed) KIMBERLEY.

* Inclosure in No. 6.

No. 8.

The Earl of Kimberley to Sir E. Malet.

Sir,

Foreign Office, July 2, 1894.

I HAVE forwarded to you a copy of Count Hatzfeldt's note of the 11th instant, protesting against the Agreement recently concluded between Great Britain and His Majesty the King of the Belgians, as Sovereign of the Independent State of the Congo.

The protest of the German Government is based, as your Excellency will have observed, upon their objections to Article III of the Agreement, which they consider to be an infringement of the rights of Germany, and injurious to German interests.

Her Majesty's Government had been informed by the Government of the Congo State, shortly after the publication of the Agreement, that the German Government required from them an assurance that the strip of territory to be leased to Great Britain under Article III should be at a distance of at least 20 kilom. from the German frontier. Her Majesty's Government at once and willingly acquiesced in this assurance being given.

From the correspondence inclosed in Count Hatzfeldt's note of the 3rd instant, I gathered that while the German Government made no objection to the principle of the lease, they maintained that, under the Treaty of the 8th November, 1884, the Government of the Independent Congo State was responsible for the fulfilment of the obligations attaching to the strip of territory in question, until the new occupier had, with the consent of Germany, taken over those obligations, and they required that, before the strip of land was handed over to Great Britain, they should be informed in sufficient time to enable them to secure the rights and interests guaranteed to them by Treaty.

Although the Treaty of the 8th November, 1884, between Germany and the Congo State, stipulates in Article IV that, in cases of cession of the actual or future territories of the Association, the obligations of the Congo State towards Germany should be binding on the new possessor, I have been unable to find in that instrument any stipulation, either expressed or implied, that the transfer of territory with the accompanying obligations is to be dependent on the consent of Germany.

It seemed to Her Majesty's Government, however, just and reasonable that in regard to territory lying in such close proximity to her frontiers as that now under discussion, Germany should receive every assurance that due regard would be had to her rights and interests. I therefore at once, and spontaneously, addressed to Count Hatzfeldt my note of the 5th ultimo, in which I expressed agreement in the view that the frontier between Germany and the Congo Free State cannot be altered without the assent of Germany, and gave an explicit assurance that Her Majesty's Government recognized that all the stipulations of the Treaty between Germany and the Congo State would continue to apply to the strip of territory to be leased to Great Britain after it had been handed over to her.

I learned, however, with regret, from Count Hatzfeldt's note of the 11th ultimo, that these explanations and assurances had not satisfied the German Government.

It seems that, in the first place, the assurance which was given at their request, that the territory to be leased should be removed to a certain distance from their frontier, did not, in their opinion, suffice to meet their objections to the lease as constituting an alteration of that frontier.

Secondly, although Her Majesty's Government declared that they acknowledged, and were ready to fulfil, all the obligations which are stipulated in Article IV of the Treaty of the 8th November, 1884, yet the German Government continued to hold that their rights were infringed, and that their interests would be injuriously affected.

In regard to this latter point, Count Hatzfeldt states that in the course of the negotiations which preceded the Treaty between Germany and Great Britain of the 1st July, 1890, Germany refused to consent to the acquisition by Great Britain of a strip of territory in this situation, because it would have prejudiced the political position of Germany and have interrupted direct trade communications with the Congo State.

After careful examination of the papers relating to those negotiations, I cannot find any record that a proposal for the acquisition of a narrow strip of this kind was actually made on behalf of Great Britain, or rejected on behalf of Germany, although it may undoubtedly be inferred from the general tenour of the negotiations,

and from observations made by Lord Salisbury in the House of Lords after their conclusion, that if made it would not have been accepted.

It did not, however, occur to Her Majesty's Government, or to the Government of the Congo State, that the objections of the Imperial Government to an acquisition of territory by Great Britain in full sovereignty would apply to the very different arrangement contemplated by Article III of the present Agreement. For by the IVth Article, Great Britain distinctly declares that she neither has, nor seeks to acquire, any political rights in the strip of territory. The right of administration, therefore, conceded to her during the period of the lease, could only be used for purposes of commerce or communication. In these, as in all other respects, the British Administration would have been subject to all the obligations of the Congo State in regard to neutrality, freedom of commerce, and absence of all restrictions or burdens on transit across the strip under lease. Such an arrangement did not appear to Her Majesty's Government to threaten either the progress or security of the German colonial possessions.

They have thought it right to make these observations in reply to the note which Count Hatzfeldt has been instructed to address to me.

But since the German Government consider that Article III modifies to the detriment of Germany the situation created by the Treaty of the 1st July, 1890, an instrument to which Her Majesty's Government attach the highest importance, Her Majesty's Government have had no hesitation in complying with the request addressed to them by His Majesty the King of the Belgians, Sovereign of the Congo State, that the Article should be withdrawn, and accordingly, as your Excellency is already aware, they have entered into a formal undertaking to that effect with the Government of the Congo State. I have forwarded a copy of the Declaration withdrawing the Article to Count Hatzfeldt for communication to the German Government, who will, I trust, see in it a practical proof of the friendly feelings and intentions of Her Majesty's Government.

I request your Excellency to read this despatch to Baron von Marschall, and to leave a copy of it with his Excellency if he should desire it. He will understand that it has been written, not for the purpose of controversy upon an Article which has now been removed from the Agreement, but in order to clear up what appeared to be misconceptions as to the views and objects of Her Majesty's Government in regard to it.

I am, &c.
(Signed) KIMBERLEY.

No. 9.

Count Hatzfeldt to the Earl of Kimberley.—(Received July 3.)

(Translation.)

My Lord,

German Embassy, London, July 1, 1894.

I LOST no time in communicating to my Government your Excellency's note of the 26th ultimo and its inclosure.

My Government note with gratification and satisfaction that at the time the Agreement of the 12th May last was concluded between Her Majesty's Government and the Government of the Independent Congo State, it was not the intention of Her Majesty's Government to infringe the rights and interests of the German Empire.

The Imperial Government are gratified to find in this straightforward declaration of Her Majesty's Government a new pledge for the continuance in the future of those friendly relations which have hitherto existed between the two Empires.

The Imperial Government while gladly taking note of the new Agreement between Her Majesty's Government and the Government of the Independent Congo State for the withdrawal of Article III of the Agreement of the 12th May, 1894, declare on their part that they no longer protest against it.

I have, &c.
(Signed) HATZFELDT.

Baron von Rotenhan to Count Hatzfeldt.—(Communicated by Count Hatzfeldt, July 9.)

(Translation.)

Foreign Office, Berlin, July 5, 1894.

THE British Ambassador read to me to-day a note from Lord Kimberley, dated the 2nd instant, of which a copy is inclosed, which he left with me at my request.

As Her Majesty's Government, having readily given up Article III of the Agreement of the 12th May, which was contrary to our rights and interests, has, according to its explanation, no intention of allowing the questions in dispute to remain pending, but rather aims at removing the misunderstandings which, in its opinion, existed, the Imperial Government also does not consider it necessary to repeat the views which it holds in regard to Article III, and which it has frequently explained.

The observation in Lord Kimberley's despatch, that the Imperial Government had, immediately after the Agreement became known, demanded from the Congo State the removal of the leased strip to a distance of 20 kilom. from the frontier, might make it appear as if we had been satisfied with this assurance, which was voluntarily given by the Congo State, and had only later raised material objections to Article III of the Agreement. It is possible that the Congo Government may have considered that they had satisfied the claims of the Imperial Government by thus removing the strip leased to Great Britain. But this idea was at once dispelled by a declaration which Count Alvensleben made to Count de Grelle Rogier, under instructions from his Government.

The Imperial Minister at Brussels declared that the intention of the Congo State to hand over to Great Britain a strip of land immediately on our frontier would, in our opinion, involve a disregard of the respect due to the German Empire, that, before the formal withdrawal of this immediate cession, any negotiation with the Congo State in regard to the material meaning of Article III was impossible for the German Government, and that otherwise nothing would remain for the latter but to consider the Treaty of the 12th May last as non-existent, so far as Germany was concerned.

That the Government of the Congo State readily accepted this view appears from its further action.

The Imperial Government fully appreciates the assurances given by Her Majesty's Government in the note above referred to as to the straightforwardness of their intentions in regard to us.

In view of this conciliatory attitude, and the withdrawal, to our complete satisfaction, of Article III, it is superfluous to discuss in detail the individual arguments of Lord Kimberley, which, in one way or another, might still require rectification.

I have the honour to request your Excellency to read this despatch to Lord Kimberley, and to leave a copy with his Lordship should he ask for one.

(Signed) VON ROTENHAN.

FURTHER PAPERS relating to the Agreement between Great Britain and His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo, signed at Brussels, May 12, 1894.

Presented to both Houses of Parliament by Command of Her Majesty. June 1894.

LONDON

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1894.

DECLARATION AS TO WITHDRAWAL OF ARTICLE III
OF THE AGREEMENT OF MAY 12, 1894,

BETWEEN

GREAT BRITAIN AND HIS MAJESTY
KING LEOPOLD II, SOVEREIGN OF THE
INDEPENDENT STATE OF THE CONGO,

RELATING TO THE

SPHERES OF INFLUENCE OF GREAT
BRITAIN AND THE INDEPENDENT STATE
OF THE CONGO IN EAST AND CENTRAL
AFRICA.

Signed at Brussels, June 22, 1894.

Presented to both Houses of Parliament by Command of Her Majesty.
August 1894.

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[C.—7549.]

DECLARATION AS TO "WITHDRAWAL OF
ARTICLE III OF THE AGREEMENT BE-
TWEEN GREAT BRITAIN AND HIS MAJESTY
KING LEOPOLD II, SOVEREIGN OF THE
INDEPENDENT STATE OF THE CONGO
RELATING TO THE SPHERES OF IN-
FLUENCE OF GREAT BRITAIN AND THE
INDEPENDENT STATE OF THE CONGO IN
EAST AND CENTRAL AFRICA.

Signed at Brussels, June 22, 1894.

IN compliance with the request made by His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo, that the Government of Her Britannic Majesty will consent to the withdrawal of Article III of the Agreement of the 12th May, 1894, the Undersigned, duly authorized by their respective Governments, agree that the said Article be withdrawn.

Done, in duplicate, at Brussels, the 22nd day of June, 1894.

(Signed) F. R. PLUNKETT.
EDMOND VAN EETVELDE.

POST OFFICE (PARCEL POST WITH BELGIUM).

A G R E E M E N T

CONCERNING THE

EXCHANGE OF POSTAL PARCELS

BETWEEN THE

POST OFFICE OF THE UNITED KINGDOM OF
GREAT BRITAIN AND IRELAND

AND THE

ADMINISTRATION OF THE BELGIAN STATE RAILWAYS.

Presented to both Houses of Parliament by Command of Her Majesty.



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HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

1894.

AGREEMENT

CONCERNING the exchange of POSTAL PARCELS, both insured and uninsured, but without collection of value on delivery, between the POST OFFICE of the UNITED KINGDOM OF GREAT BRITAIN AND IRELAND on the one side and the ADMINISTRATION of the BELGIAN STATE RAILWAYS on the other side.

The Post Office of Great Britain and Ireland and the Administration of the Belgian State Railways agree to organise a regular exchange of parcels, both insured and uninsured, but without the collection of value on delivery, between Great Britain and Ireland and Belgium on the basis of the stipulations of the Parcel Post Convention of the Universal Postal Union.

The conditions of the exchange of parcels, both those exchanged directly between Great Britain and Belgium and those sent in transit through these countries, are determined by the following rules:—

ARTICLE I.

1. Parcels, both insured and uninsured, but without collection of value on delivery, may be forwarded under the designation of postal parcels from the United Kingdom to Belgium up to the weight of 11 pounds English avoirdupois, and from Belgium to the United Kingdom up to the weight of 5 kilogrammes. The rates vary according as the weight of the parcel does not exceed 1 kilogramme (3 lb. English), exceeds 1 kilogramme (3 lb. English) but does not exceed 3 kilogrammes (7 lb. English), or exceeds 3 kilogrammes (7 lb. English) but does not exceed 5 kilogrammes (11 lb. English).

2. The largest sum for which a parcel may be insured is fixed at 50*l.* in the United Kingdom and 1,250 francs in Belgium.

3. The tariff to be published by agreement between the Administrations interested will indicate to what conditions of packing, dimension, &c., the parcels must

CONVENTION

CONCERNANT l'échange des COLIS POSTAUX avec ou sans déclaration de valeur et exempts de débours et de remboursements, entre l'ADMINISTRATION des CHEMINS DE FER de l'ETAT BELGE, d'une part, et l'ADMINISTRATION des POSTES du ROYAUME-UNI de la GRANDE BRETAGNE ET DE l'IRLANDE, d'autre part.

L'Administration des Chemins de fer de l'Etat Belge et l'Administration des Postes de la Grande-Bretagne et de l'Irlande conviennent d'organiser un échange régulier des colis avec ou sans déclaration de valeur exempts de débours et de remboursements entre la Belgique et la Grande-Bretagne et l'Irlande sur la base des stipulations de la Convention de l'Union Postale Universelle pour l'échange des colis postaux.

Les conditions de l'échange des colis, tant pour ceux échangés directement entre la Belgique et la Grande Bretagne que pour ceux en transit par ces pays, sont déterminées par les règles suivantes :

ARTICLE I.

1. Il peut être expédié, sous la dénomination de colis postaux, des colis avec ou sans déclaration de valeur et exempts de débours et de remboursements du Royaume-Uni vers la Belgique jusqu'à concurrence de 11 livres anglaises "avoir du poids," et de la Belgique vers le Royaume-Uni, jusqu'à concurrence de 5 kilogrammes. Les taxes sont différentes suivant que le poids par colis est de 1 kilogramme et moins (3 livres anglaises et moins), de plus de 1 jusqu'à 3 kilogrammes (de plus de 3 jusqu'à 7 livres anglaises), et de plus de 3 jusqu'à 5 kilogrammes (de plus de 7 livres jusqu'à 11 livres anglaises).

2. Le maximum de la déclaration de valeur est fixé à £50 dans le Royaume-Uni et à francs 1,250 en Belgique.

3. Le tarif à publier de commun accord entre les Administrations intéressées indiquera quelles conditions d'emballage, de dimensions, &c., les colis devront présenter

be subject in order to be accepted for transmission; it will also indicate the kinds of articles which will be excluded from the service.

ARTICLE II.

1. Freedom of transit over the territory of each of the two contracting countries is guaranteed for parcels originating in or addressed to countries for which either of the two countries serves as intermediary.

2. The following stipulations are generally applicable to the relations between the United Kingdom and Belgium, not only as regards parcels exchanged between the two contracting countries, but also as regards parcels sent in transit through those countries.

ARTICLE III.

Prepayment of postage on postal parcels is obligatory.

ARTICLE IV.

The postage on parcels sent from the United Kingdom addressed to Belgium, or *vice versa*, including the rate of 25 centimes per parcel for delivery and the performance of Customs formalities, is apportioned in the manner indicated below. The delivery rate, instead of being levied from the addressee, is collected from the sender at the same time as the rest of the postage which he has to pay.

(a.) Parcels from Belgium to the United Kingdom :—

	Parcels not exceeding 1 Kilogramme.	Parcels from 1 to 3 Kilogrammes.	Parcels from 3 to 5 Kilogrammes.	Additional Fee for insured Parcels. For each 300 Francs or fraction of 300 Francs.
	Fr. c.	Fr. c.	Fr. c.	Fr. c.
BRITISH POST OFFICE:				
Territorial rate - -	0 50	1 00	1 40	0 05
Share in the rate for delivery and Customs formalities - -	0 10	0 10	0 10	—
BELGIAN ADMINISTRATION:				
Territorial and sea rate	0 75	0 75	1 00	0 20
Share in the rate for delivery and Customs formalities - -	0 15	0 15	0 15	—
Totals - -	1 50	2 00	2 65	0 25

pour être acceptés au transport; i. indiquera également quelles catégories d'articles seront exclues du transport.

ARTICLE II.

1. La liberté de transit, sur le territoire de chacun des deux pays contractants est garantie pour les colis en provenance ou à destination des pays qui empruntent l'intermédiaire de l'un de ces deux pays.

2. Les stipulations qui suivent sont applicables en général aux relations entre le Royaume-Uni et la Belgique, non seulement pour les colis échangés entre les deux pays contractants, mais aussi pour les colis échangés en transit par ces pays.

ARTICLE III.

L'affranchissement des colis postaux est obligatoire.

ARTICLE IV.

La taxe des colis postaux expédiés du Royaume-Uni vers la Belgique ou *vice versa*, y compris le droit de 25 centimes par colis, pour le factage et l'accomplissement des formalités en douane, est partagée de la manière ci-après. Le droit de factage, au lieu d'être perçu du destinataire, est encaissé de l'expéditeur en même temps que les autres taxes à payer par celui-ci.

(a.) Colis expédiés de la Belgique vers le Royaume-Uni :

	Colis de 1 Kilogr. et moins.	Colis de plus de 1 à 3 Kilogr.	Colis de plus de 3 à 5 Kilogr.	Droit additionnel pour les Colis avec Déclaration de Valeur. Par 300 Francs ou fraction de 300 Francs.
	Fr. c.	Fr. c.	Fr. c.	Fr. c.
POSTE BRITANNIQUE:				
Taxe territoriale - -	0 50	1 00	1 40	0 05
Part dans le droit de factage et de formalités en douane -	0 10	0 10	0 10	—
ADMINISTRATION BELGE:				
Taxe territoriale et maritime -	0 75	0 75	1 00	0 20
Part dans le droit de factage et de formalités en douane -	0 15	0 15	0 15	—
Totaux - -	1 50	2 00	2 65	0 25

(b.) Parcels from the United Kingdom
to Belgium :—

	Parcels not exceeding 3 lb. (English)	Parcels from 3 lb. to 7 lb. (English)	Parcels from 7 lb. to 11 lb. (English)	Additional Fee for insured Parcels. For each 12l. or fraction of 12l.
BRITISH POST OFFICE :	Fr. c.	Fr. c.	Fr. c.	Fr. c.
Territorial rate - -	0 50	1 00	1 40	0 10
Share in the rate for delivery and Customs formalities - -	0 15	0 15	0 15	—
BELGIAN ADMINIS- TRATION :				
Territorial and sea rate	0 75	0 75	1 00	0 15
Share in the rate for delivery and Customs formalities - -	0 10	0 10	0 10	—
Totals (1) -	1 50	2 00	2 65	0 25 (2)

(1) The equivalents are fixed by the Detailed Regulations.

(2) To this fee is added an insurance fee of 25 centimes per parcel, which is retained by the British Post Office.

(b.) Colis expédiés du Royaume-Uni
vers la Belgique :

	Colis de 3 Livres an- glaises et moins.	Colis de plus de 3 à 7 Livres an- glaises.	Colis de plus de 7 à 11 Livres an- glaises.	Droit addi- tionnel pour les Colis avec Déclaration de Valeur. Par 12 l. ou fraction de 12 l.
POSTE BRITANNIQUE :	Fr. c.	Fr. c.	Fr. c.	Fr. c.
Taxe territoriale - -	0 50	1 00	1 40	0 10
Part dans le droit de factage et de formalités en douane -	0 15	0 15	0 15	—
ADMINISTRATION BELGE :				
Taxe territoriale et maritime -	0 75	0 75	1 00	0 15
Part dans le droit de factage et de formalités en douane -	0 10	0 10	0 10	—
Totaux (1) - -	1 50	2 00	2 65	0 25 (2)

(1) Les équivalents sont fixés par le règlement d'exécution.

(2) Il est ajouté à ce droit un droit d'enregistrement de 25 centimes par colis qui revient à la poste britannique.

ARTICLE V.

The two Administrations are account-
able to one another for the sums indicated
below :—

(1.) PARCELS ADDRESSED TO BELGIUM.

The British Post Office pays to the
Belgian Administration :

(a.) For each parcel not exceeding 7
pounds avoirdupois, 85 centimes :
For each parcel exceeding 7 pounds
but not exceeding 11 pounds, 1 franc
10 centimes ;

(b.) In the case of an insured parcel, an
additional rate of 15 centimes for each
300 francs or fraction of 300 francs
of the value insured.

(2.) PARCELS IN TRANSIT THROUGH BELGIUM.

For the combined territorial and sea
service the British Post Office pays to the
Belgian Administration :

(a.) For each parcel not exceeding 11
pounds avoirdupois, 50 centimes ;

(b.) In the case of an insured parcel, an
additional rate of 5 centimes for each
300 francs or fraction of 300 francs
of the value insured.

These rates must be increased by the
sums due for the onward service.

ARTICLE V.

Les deux Administrations sont redev-
ables, l'une envers l'autre, des sommes
mentionnées ci-après :

(1.) COLIS À DESTINATION DE LA BELGIQUE.

L'Administration anglaise paie à l'Ad-
ministration belge :

(a.) Pour chaque colis n'excédant pas
7 livres avoir du poids, 85 centimes :
Pour chaque colis dépassant 7 livres,
mais n'excédant pas 11 livres, 1 franc
10 centimes ;

(b.) En cas de déclaration de valeur, un
droit additionnel de 15 centimes par
300 francs ou fraction de 300 francs
de la valeur déclarée.

(2.) COLIS EN TRANSIT PAR LA BELGIQUE.

L'Administration anglaise paie à l'Ad-
ministration belge pour le parcours terri-
torial et le parcours maritime réunis :

(a.) Pour chaque colis n'excédant pas
11 livres avoir du poids, 50 cen-
times ;

(b.) En cas de déclaration de valeur,
5 centimes par 300 francs ou fraction
de 300 francs de la valeur déclarée.

Ces taxes sont augmentées des sommes
dues pour le transport ultérieur.

(3.) PARCELS ADDRESSED TO THE UNITED KINGDOM.

The Belgian Administration pays to the British Post Office :

- (a.) For each parcel not exceeding 1 kilogramme, 60 centimes : For each parcel exceeding 1 kilogramme but not exceeding 3 kilogrammes, 1 franc 10 centimes : For each parcel exceeding 3 kilogrammes but not exceeding 5 kilogrammes, 1 franc 50 centimes ;
- (b.) In the case of an insured parcel, an additional rate of 5 centimes for each 300 francs or fraction of 300 francs of the value insured.

(4.) PARCELS IN TRANSIT THROUGH THE UNITED KINGDOM.

The Belgian Administration pays to the British Post Office :

- (a.) For each parcel not exceeding 1 kilogramme, 50 centimes : For each parcel exceeding 1 kilogramme but not exceeding 3 kilogrammes, 1 franc : For each parcel exceeding 3 kilogrammes but not exceeding 5 kilogrammes, 1 franc 40 centimes ;
- (b.) In the case of an insured parcel, an additional rate which must not exceed the insurance fee levied in the United Kingdom on parcels addressed to the same place.

These rates must be increased by the sums due for the onward service.

ARTICLE VI.

The parcels to which the present Agreement applies cannot be subjected to any postal charge other than those contemplated by the foregoing Articles IV and V, and by Article VII following.

ARTICLE VII.

The re-direction of postal parcels from one country to another, in consequence of the removal of the addressees, as well as the return of undelivered postal parcels, gives rise to a supplementary charge of the rates fixed by Articles IV and V against the addressees or the senders, as the case may be, without prejudice to any claim for reimbursement of Customs duties paid.

(3.) COLIS À DESTINATION DU ROYAUME-UNI.

L'Administration belge paie à l'Administration anglaise :

- (a.) Pour chaque colis de 1 kilogramme et moins, 60 centimes : Pour chaque colis dépassant 1 kilogramme mais n'excédant pas 3 kilogrammes, 1 franc 10 centimes : Pour chaque colis dépassant 3 kilogrammes sans excéder 5 kilogrammes, 1 franc 50 centimes ;
- (b.) En cas de déclaration de valeur, un droit additionnel de 5 centimes par 300 francs ou fraction de 300 francs de la valeur déclarée.

(4.) COLIS EN TRANSIT PAR LE ROYAUME-UNI.

L'Administration belge paie à l'Administration anglaise :

- (a.) Pour chaque colis de 1 kilogramme et moins, 50 centimes : Pour chaque colis dépassant 1 kilogramme mais n'excédant pas 3 kilogrammes, 1 franc : Pour chaque colis dépassant 3 kilogrammes sans excéder 5 kilogrammes, 1 franc 40 centimes.
- (b.) En cas de déclaration de valeur, un droit additionnel qui ne doit jamais excéder le droit d'assurance perçu dans le Royaume-Uni pour les colis à destination des mêmes localités.

Ces taxes sont augmentées des sommes dues pour le transport ultérieur.

ARTICLE VI.

Les colis auxquels s'applique la présente convention ne peuvent être frappés d'aucun droit postal autre que ceux prévus par les articles IV et V précédents, et par l'article VII ci-après.

ARTICLE VII.

La réexpédition d'un pays vers un autre des colis postaux, par suite de changement de résidence des destinataires, ainsi que le renvoi des colis postaux non délivrés, donne lieu à la perception supplémentaire des taxes fixées par les articles IV et V, à la charge des destinataires ou, le cas échéant, des expéditeurs, sans préjudice du remboursement des droits de douane acquittés.

ARTICLE VIII.

It is forbidden to send by post parcels containing letters, or notes having the character of private correspondence, or articles the admission of which is not authorised by the Customs or other laws or regulations of the countries concerned.

ARTICLE IX.

1. Insurance is *obligatory* in the case of parcels containing coin, articles of gold or silver, or other precious articles.

2. When a parcel containing articles of this kind is forwarded uninsured, the Administration which discovers the irregularity proceeds with regard to the sender or addressee, as the case may be, according to its own regulations.

ARTICLE X.

1. Except in cases beyond control, when an uninsured postal parcel has been lost or damaged, compensation is paid to the sender or, in default of or at the request of the sender, to the addressee according to the laws and regulations of each of the two contracting countries; provided that, as regards the English and the sea service, the indemnity may not exceed 25 francs. The sender of a lost parcel has moreover a right to have the postage refunded to him.

2. For insured parcels the responsibility is regulated in the manner indicated in section 1; but the indemnity may not exceed the amount of the value insured.

3. The obligation of paying the indemnity rests with the Administration to which the despatching Office is subordinate. That Administration has its remedy against the responsible Administration, that is to say, against the Administration on the territory or in the service of which the loss or the damage took place.

4. Until the contrary be proved, the responsibility rests with the Administration which, having received the parcel without making any observation, is unable to establish either the delivery to the addressee or the regular transfer to the following Administration, as the case may be.

ARTICLE VIII.

Il est interdit d'expédier des colis postaux contenant soit des lettres ou des notes ayant le caractère de correspondance particulière, soit des objets dont l'admission n'est pas autorisée par les lois ou règlements de douane ou autres des pays intéressés.

ARTICLE IX.

1. La déclaration de valeur des colis contenant du numéraire, des objets d'or ou d'argent, ou autres articles précieux échangés entre le Royaume-Uni et la Belgique, est *obligatoire*.

2. Quand un colis renfermant des articles de l'espèce est expédié sans déclaration de valeur, l'Administration par laquelle l'irrégularité est constatée procède vis-à-vis de l'expéditeur ou, le cas échéant, du destinataire conformément à ses propres règlements.

ARTICLE X.

1. Sauf le cas de force majeure, lorsqu'un colis postal sans déclaration de valeur a été perdu ou avarié, l'expéditeur et, à défaut ou sur la demande de celui-ci, le destinataire est indemnisé conformément aux lois et règlements de chacun des deux pays contractants, sans toutefois que l'indemnité puisse, pour le parcours anglais et maritime, dépasser 25 francs. L'expéditeur d'un colis perdu a, en outre, droit à la restitution des frais d'expédition.

2. Pour les colis avec déclaration de valeur, la responsabilité est réglée ainsi qu'il est indiqué au § 1, sans que l'indemnité puisse dépasser le montant de la valeur déclarée.

3. L'obligation de payer l'indemnité incombe à l'Administration dont relève le bureau expéditeur. Cette Administration a son recours contre l'Administration responsable, c'est à dire contre l'Administration sur le territoire ou dans le service de laquelle la perte ou l'avarie a eu lieu.

4. Jusqu'à preuve du contraire, la responsabilité incombe à l'Administration qui, ayant reçu le colis sans faire observation, ne peut établir ni la délivrance au destinataire, ni, s'il y a lieu, la transmission régulière à l'Administration suivante.

5. The payment of the indemnity by the despatching Office shall take place as soon as possible, and at the latest within a year of the date of the application.

6. The responsible Office is bound to refund to the despatching Office, without delay, the amount of the indemnity paid by the latter.

7. It is understood that the application for an indemnity is only entertained if made within a year of the posting of the parcel; after this term the applicant has no right to any indemnity.

8. The Administrations cease to be responsible for parcels of which the owners have accepted delivery, save in the cases reserved by the internal regulations.

5. Le payement de l'indemnité par l'office expéditeur doit avoir lieu le plus tôt possible et, au plus tard, dans le délai d'un an à partir du jour de la réclamation.

6. L'office responsable est tenu de rembourser sans retard, à l'office expéditeur, le montant de l'indemnité payée par celui-ci.

7. Il est entendu que la réclamation n'est admise que dans le délai d'un an à partir de la date de remise du colis au bureau de départ; passé ce terme, le réclamant n'a droit à aucune indemnité.

8. Les Administrations cessent d'être responsables des colis postaux dont les ayants-droit ont pris livraison, sauf les cas réservés par les règlements intérieurs.

ARTICLE XI.

The insurance of a parcel for a sum above the real value of the contents, with intent to defraud, is forbidden. In the case of a fraudulent insurance of this kind the sender loses all claim to compensation; and the enforcement of this rule does not prejudice any judicial proceedings of which the law of the country of origin may admit.

ARTICLE XI.

Toute déclaration frauduleuse de valeur supérieure à la valeur réelle d'un colis est interdite. En cas de déclaration frauduleuse de cette nature, l'expéditeur perd tout droit à une indemnité, sans préjudice des poursuites judiciaires que peut comporter la législation du pays d'origine.

ARTICLE XII.

The internal legislation of each of the contracting countries remains applicable as regards everything not provided for by the stipulations contained in the present Agreement.

ARTICLE XII.

La législation intérieure de chacun des pays contractants demeure applicable en tout ce qui n'est pas prévu par les stipulations contenues dans la présente Convention.

ARTICLE XIII.

The Administrations concerned of the contracting countries indicate the Offices or localities which they admit to the international exchange of postal parcels; they regulate the mode of transmission of those parcels, and fix all other measures of detail and order necessary for ensuring the execution of the present Agreement,

ARTICLE XIII.

Les Administrations en cause des pays contractants désignent les bureaux ou localités qu'elles admettent à échange international des colis postaux; elles règlent le mode de transmission de ces colis et arrêtent toutes les autres mesures de détail et d'ordre nécessaires pour assurer l'exécution de la présente Convention.

ARTICLE XIV.

1. The present Agreement shall come into operation on the 1st day of March 1894, and shall remain in force until one of the two contracting parties shall have announced to the other, one year in advance, its intention to determine it.

2. In witness whereof the undersigned, duly authorised for that purpose, have signed the present Agreement, and have affixed thereto their seals.

Done in duplicate at London the 12th day of January 1894, and at Brussels the 9th day of February 1894.

(Signed) ARNOLD MORLEY.



ARTICLE XIV.

1. La présente Convention sera mise à exécution le 1^{er} mars 1894, et demeurera obligatoire jusqu'à ce que l'une des deux parties contractantes ait annoncé à l'autre, mais un an à l'avance, son intention d'en faire cesser les effets.

2. En foi de quoi, les soussignés dûment autorisés à cet effet, ont signé la présente Convention, qu'ils ont revêtue de leurs cachets.

Fait en double expédition à Bruxelles, le 9 février 1894, et à Londres, le 12 janvier 1894.

Le Ministre des chemins de fer,
postes et télégraphes,

(Signé) J. VANDENPEEREBOOM.



DETAILED REGULATIONS

RÈGLEMENT

For the Exchange of Postal Parcels, both insured and uninsured, between the United Kingdom of Great Britain and Ireland and Belgium.

d'exécution de la convention pour l'échange des colis postaux avec ou sans déclaration de valeur entre la Belgique et le Royaume-Uni de la Grande-Bretagne et de l'Irlande.

I.

1. The exchange of postal parcels is effected by the route of Dover and Ostend.

2. After arrangement, if need be, with the other Offices concerned, each Administration communicates to the other, by means of forms prepared in conformity with specimen A annexed, as follows:—

- (a.) A list of the countries with which postal parcels may be exchanged through its intermediary;
- (b.) The routes of conveyance available for postal parcels from the point of entry on its territory or into its service;
- (c.) The sum total of the payments for which the Administration from which the parcels are received is responsible on account of each country.

3. In conformity with these forms A, each Administration fixes the routes to be employed for the transmission of its postal parcels, and determines the payments to be collected from the senders according to the conditions regulating the transit services.

II.

1. In collecting postage 50 centimes are taken as the equivalent of 5 pence.

2. The postage to be collected, including the fee for delivery at the house of the addressee, is therefore as follows:—

- (a.) *In England:—*
For parcels not exceeding 3 pounds avoirdupois, 1s. 3d.;
For parcels exceeding 3 pounds but not exceeding 7 pounds in weight, 1s. 8d.;
For parcels exceeding 7 pounds but not exceeding 11 pounds in weight, 2s. 2½d.;

and, for insured parcels, an additional fee of 2½d. for each 12l. or fraction of 12l. of the value insured, and a registration fee of 2½d. per parcel.

I.

1. L'échange des colis postaux se fait par la voie de Douvres-Ostende.

2. Après entente, le cas échéant, avec les autres offices intéressés, chaque Administration communiquera à l'autre, à l'aide de relevés rédigés conformément à l'annexe A, ce qui suit:

- (a.) La liste des pays avec lesquels les colis postaux peuvent être échangés par son intermédiaire;
- (b.) Les routes de transport qui s'offrent pour les colis postaux à partir du passage sur son territoire ou sur ses lignes postale;
- (c.) L'import total des frais que l'Administration qui lui remet les colis, doit payer pour chaque pays.

3. D'après ces relevés A, chaque Administration fixe les routes par lesquelles ses colis postaux doivent être expédiés, et détermine les frais à percevoir des expéditeurs d'après les conditions régissant les transports de transit.

II.

1. Pour la perception des taxes on se base sur le rapport de 50 centimes équivalent à 5 pence.

2. Le port à percevoir, y compris la taxe pour frais de factage et de remise à domicile, est donc le suivant:

- (a.) *Au départ de l'Angleterre:*
Colis de 3 livres "avoir du poids" et moins, 1 schel. 3 pence;
Colis de plus de 3 livres jusqu'à 7 livres, 1 schel. 8 pence;

Colis de plus de 7 livres jusqu'à 11 livres, 2 schel. 2½ pence;

plus, pour les colis avec déclaration de valeur, un droit additionnel de 2½ pence par 12l. ou fraction de 12l. de la valeur déclarée, et un droit d'enregistrement de 2½ pence par colis.

(b.) *In Belgium:—*

For parcels not exceeding 1 kilogramme, fr. 1.50;

For parcels exceeding 1 kilogramme but not exceeding 3 kilogrammes in weight, frs. 2.00;

For parcels exceeding 3 kilogrammes but not exceeding 5 kilogrammes in weight, frs. 2.65;

and, for insured parcels, an additional fee of 25 centimes for each 300 francs or fraction of 300 francs of the value insured.

3. When prepayment has not been effected by stamps, the amount of the sum levied must be inscribed on the despatch note which accompanies each parcel.

III.

Parcels posted in the United Kingdom for Belgium must not exceed in length, breadth, or thickness 2 feet English (about 61 centimetres); parcels posted in Belgium for the United Kingdom must not exceed in length, breadth, or thickness 60 centimetres.

IV.

Parcels containing explosive or combustible matter, and, in general, articles, the transmission of which is attended with danger, are excluded from transmission.

V.

1. In order to be admitted to the service, insured parcels must be sealed by means of sealing wax, lead, or otherwise, with some special seal or mark of the sender.

2. The despatch notes accompanying these parcels should bear, in each case, a reproduction of the seal before mentioned.

3. This rule is, however, not obligatory in Great Britain; but if no such seal is found either upon the despatch note or upon the parcel, the Administrations decline all responsibility for loss or damage, in so far as the loss or damage is the result of the omission.

4. The amount of the value insured must be entered on the cover of the parcel and also on the despatch note; and no erasure or addition, even if certified, is allowed. When this entry is expressed in English money, the sender or the

(b.) *Au départ de la Belgique:*

Colis de 1 kilogramme et moins, fr. 1.50;

Colis de plus de 1 jusqu'à 3 kilogrammes, frs. 2.00;

Colis de plus de 3 jusqu'à 5 kilogrammes, frs. 2.65;

plus, pour les colis avec déclaration de valeur, un droit additionnel de 25 centimes par 300 francs ou fraction de 300 francs de la valeur déclarée.

3. Quand l'affranchissement n'a pas lieu au moyen de timbres, le montant de la somme perçue doit être inscrit sur le bulletin d'expédition qui accompagne chaque colis.

III.

Les dimensions des colis postaux présentés au transport dans le Royaume-Uni à destination de la Belgique ne peuvent dépasser en aucun sens 2 pieds anglais (mètre 0.61 environ); les dimensions des colis présentés au transport en Belgique à destination du Royaume-Uni ne peuvent dépasser en aucun sens 60 centimètres.

IV.

Sont exclus du transport les colis contenant des matières explosibles ou inflammables, et, en général, les articles dont le transport offre du danger.

V.

1. Pour être admis au transport, les colis avec déclaration de valeur doivent être scellés d'un cachet à la cire, d'un plomb ou par un autre moyen, avec empreinte ou marque spécial de l'expéditeur.

2. Les bulletins d'expédition accompagnant ces colis doivent porter, pour chaque colis, la reproduction de l'empreinte prémentionnée.

3. Toutefois, cette disposition n'est pas obligatoire au départ de la Grande-Bretagne; mais si la dite empreinte ne se trouve pas sur le bulletin d'expédition ni sur le colis, les Administrations déclinent toute responsabilité en cas de perte ou d'avaries pour autant que celles-ci soient le résultat de cette omission.

4. Le montant de la déclaration de valeur doit être renseigné sur l'emballage des colis ainsi que sur les bulletins d'expédition, sans rature ni surcharge, même approuvées. Lorsque la déclaration est formulée en monnaie anglaise, l'expéditeur

Office of origin must indicate by new figures, placed beside or below the figures representing the value in English money, the equivalent of the latter in francs and centimes.

VI.

1. Each parcel must be accompanied by a despatch note and by Customs declarations, in conformity with or analogous to specimens B and C hereto annexed. The Administrations inform each other of the number of Customs declarations to be furnished for each destination.

2. Two or three parcels from the same sender to the same addressee may be entered on one despatch note and one Customs declaration form; but the same despatch note cannot be used for both insured and uninsured parcels.

3. The exact weight of an insured parcel in kilogrammes and grammes must be entered by the Office of origin both on the cover of the parcel and on the despatch note.

4. In the case of parcels sent from England to Belgium, the Customs declarations must be prepared in the French language.

VII.

1. Each parcel, as well as the despatch note relating to it, must bear a label in conformity with, or analogous to, specimen D hereto annexed, indicating the registered number and the name of the Office of posting.

2. Each insured parcel must bear a red label with the words "*Valeur déclarée*" upon it.

3. When the parcels contain coin, articles of gold or silver, or other precious objects, the labels prescribed above must be placed apart, in such a way that they cannot serve to conceal injuries to the cover. They must not be folded over two sides of the cover so as to hide the edge.

4. The despatch note is moreover impressed by the office of origin, on the address side, with a stamp indicating the place and date of posting.

VIII.

1. The service of exchange is entrusted in Belgium exclusively to the Offices of Brussels and Ostend, and in the United Kingdom to the Office of London.

ou le bureau de départ doit indiquer, par de nouveaux chiffres placés à côté ou au-dessous des chiffres représentatifs de la valeur en monnaie anglaise, l'équivalent de celle-ci en francs et en centimes.

VI.

1. Chaque colis doit être accompagné d'un bulletin d'expédition et de déclarations en douane conformes ou analogues aux modèles B et C ci-joints. Les Administrations se renseignent réciproquement sur le nombre des déclarations en douane à fournir pour chaque destination.

2. Plusieurs colis, jusqu'au nombre de trois, peuvent être décrits sur un seul bulletin d'expédition ou sur la même déclaration en douane, toutefois le même bulletin d'expédition ne peut être utilisé pour des colis avec valeur déclarée et sans valeur déclarée.

3. Le poids exact de tout colis avec valeur déclarée doit être indiqué, en kilogrammes et en grammes, par le bureau de départ, tant sur l'emballage que sur le bulletin d'expédition.

4. Pour les expéditions effectuées dans le sens de l'Angleterre vers la Belgique, la déclaration pour la douane doit être rédigée en langue française.

VII.

1. Chaque colis, ainsi que le bulletin d'expédition qui s'y rapporte, doit porter une étiquette conforme ou analogue au modèle D ci-annexé et indiquant le numéro de l'enregistrement et le nom du bureau de dépôt.

2. Chaque colis avec valeur déclarée doit porter une étiquette rouge avec l'indication "*Valeur déclarée*."

3. Lorsque les colis contiennent des espèces monnayées, des matières d'or ou d'argent ou d'autres objets précieux, les étiquettes prescrites ci-dessus doivent être espacées, afin qu'elles ne puissent servir à cacher des lésions d'emballage. Elles ne doivent pas non plus être repliées sur les deux faces de l'emballage de manière à couvrir la bordure.

4. Le bulletin d'expédition est, en outre, frappé par le bureau d'origine, du côté de la suscription, du timbre indiquant le lieu et la date du dépôt.

VIII.

1. Sont chargés exclusivement du service d'échange en Belgique, les bureaux de Bruxelles et d'Ostende, dans le Royaume-Uni, le bureau de Londres.

2. The transmission of parcels between the English and Belgian offices of exchange takes place by means of closed bags, boxes, or baskets; and the following procedure is observed:—

From Belgium.

Parcels presented for transmission at the different Offices in Brussels circulate to the station of Brussels (North), and parcels presented for transmission at all Belgian Offices other than those of Brussels circulate to the station at Ostend (Quay). The Offices of Brussels (North) and of Ostend (Quay) each make up direct bags, boxes, or baskets for London. In these bags, boxes, or baskets are included all the parcels for the United Kingdom and countries beyond.

From the United Kingdom.

The Office of exchange of London makes up direct bags, boxes, or baskets for Ostend and for Brussels. It includes in the bags, boxes, or baskets for Brussels parcels addressed to the town of Brussels and its suburbs, and in the bags, boxes, or baskets for Ostend the remainder of the parcels.

3. The despatching Office of exchange prepares for the receiving Office of exchange, on a form similar to the specimen E annexed to the present regulations, a parcel bill containing particulars of the parcels comprised in the mail. The despatch notes and the Customs declarations are attached to the bill.

IX.

1. On the receipt of a parcel bill, the receiving Office of exchange proceeds to verify the postal parcels and the various documents entered on it, and, if needful, reports missing articles or other irregularities, acting in accordance with the rules laid down for registered articles by Article XIV of the detailed regulations of the principal Convention of the Universal Postal Union.

2. The bags, boxes, or baskets used for the mails are secured with the seals of the despatching Office of exchange; and such seals must only be removed by the Office of exchange of destination.

3. The officers who handle the mails in transit between the Offices of exchange confine themselves to ascertaining whether the seals attached to the bags, boxes, or baskets, when received by them, are intact.

2. La transmission des colis entre le bureau d'échange anglais et les bureaux d'échange belges a lieu au moyen de sacs, caisses ou paniers fermés et en observant la marche ci-après :

Au départ de la Belgique.

Le trafic des envois présentés au transport dans les divers bureaux de Bruxelles est centralisé à la station de Bruxelles-Nord; le trafic des envois présentés au transport dans tous les bureaux belges, autres que ceux de Bruxelles, est centralisé à la station d'Ostende-Quai. Les bureaux de Bruxelles-Nord et d'Ostende-Quai forment chacun des sacs, caisses ou paniers directs pour Londres. Dans ces sacs, paniers ou caisses ils placent tous les colis pour le Royaume-Uni et les pays au-delà.

Au départ du Royaume-Uni.

Le bureau d'échange de Londres forme des sacs, caisses ou paniers directs pour Ostende et pour Bruxelles. Il place dans des sacs, caisses ou paniers pour Bruxelles, les colis à destination de la ville de Bruxelles et ses faubourgs, et dans les sacs, caisses ou paniers pour Ostende, le surplus des colis.

3. Le bureau d'échange expéditeur établit pour le bureau d'échange destinataire, sur un formulaire conforme au modèle E annexé au présent règlement, une feuille de transmission renseignant les colis composant l'envoi. Il attache à la feuille les bulletins d'expédition et les déclarations en douane.

IX.

1. A la réception d'une feuille de route le bureau d'échange destinataire procède à la vérification des colis postaux et des divers documents qui y sont inscrits, et, s'il y a lieu, opère la constatation des manquants ou autres irrégularités, en se conformant aux règles tracées, pour les objets recommandés, par l'article XIV du règlement d'exécution de la Convention principale de l'Union Postale Universelle.

2. Les sacs, caisses ou paniers servant à la transmission sont revêtus des cachets ou plombs du bureau d'échange expéditeur; et ces cachets ou plombs ne doivent être rompus que par le bureau d'échange destinataire.

3. Le personnel par l'intermédiaire duquel se fait le transport entre les bureaux d'échange, se borne à s'assurer si les cachets ou plombs des sacs, caisses ou paniers qu'il reçoit sont intacts.

4. Responsibility for damaged and for missing articles discovered by the exchanging office of destination at the time of opening the bags, boxes, or baskets, falls upon the Administration to which the despatching Office of exchange is subordinate, unless it be proved that the articles have been damaged or lost during the transit over the territory of the other Administration.

5. The Offices of the United Kingdom and of Belgium respectively admit, the former the statements of the Offices of exchange at Ostend and Brussels, and the latter the statement of the London Office.

X.

1. Postal parcels re-transmitted in consequence of mis-sending are forwarded to their destination by the most direct route at the disposal of the Office re-transmitting them. When this re-transmission involves the return of the parcels to the Office of origin, the amounts credited in the parcel bill of that Office are cancelled, and the re-transmitting Office of exchange sends these parcels to the corresponding Office, simply recording them on the parcel bill, after having called attention to the error by means of a verification certificate. In the contrary case, and if the amount credited to the re-transmitting Office is insufficient to cover the expenses of re-transmission which it has to defray, it recovers the difference by raising the amount entered to its credit in the parcel-bill of the despatching Office of exchange. The reason for this rectification is notified to the said Office by means of the verification certificate.

2. Postal parcels re-directed, in consequence of the removal of the addressees, to a country which is a party to the Parcel Post Convention of the Universal Postal Union, are subjected by the delivering Office to a charge, to be paid by the addressees, representing the share due to this latter Office, to the redirecting Office, and to each intermediary Office if there be any. The re-directing Office credits itself with its share by charging it to the intermediary Office or to the Office of the new destination. In case the re-directing country and that of the new destination are not adjacent, the first intermediary Office, which receives a re-directed postal parcel, credits itself with the amount of its share and with that of the re-directing Office by charging them to the Office to which it delivers the parcel; and the latter, in its turn, if it is itself only an intermediary, charges its own share against the next Office, with the addition of what has been credited to the preceding Office.

4. La responsabilité des avaries et manquants reconnus par le bureau d'échange d'arrivée, lors de l'ouverture des sacs, caisses ou paniers, incombe à l'Administration dont dépend le bureau d'échange de départ, à moins qu'il ne soit établi que les avaries ou manquants se sont produits sur le parcours de l'Administration correspondant.

5. Les offices du Royaume-Uni et de la Belgique admettent respectivement, le premier les constatations faites par les bureaux d'échange d'Ostende et de Bruxelles, le second, les constatations faites par le bureau de Londres.

X.

1. Les colis postaux réexpédiés par suite de fausse direction sont acheminés sur leur destination par la voie la plus directe dont peut disposer l'office réexpéditeur. Lorsque cette réexpédition entraîne la restitution des colis à l'office expéditeur, les bonifications inscrites à la feuille de route de cet office sont annulées, et le bureau d'échange réexpéditeur, livre ces objets pour mémoire à son correspondant après avoir signalé l'erreur par bulletin de vérification. Dans le cas contraire, et si le montant bonifié à l'office réexpéditeur est insuffisant pour couvrir ce dernier des frais de réexpédition qui lui incombent, il se crédite de la différence en forçant la somme inscrite à son avoir sur la feuille de route du bureau d'échange expéditeur. Le motif de cette rectification est notifié au dit bureau au moyen du bulletin de vérification.

2. Les colis postaux réexpédiés, par suite d'un changement de résidence des destinataires, sur un pays participant à la Convention de l'Union Postale Universelle pour l'échange des colis postaux sont grevés, à la charge des destinataires, par l'office distributeur, d'une taxe représentant la quote-part revenant à ce dernier office, à l'office réexpéditeur, et, s'il y a lieu, à chacun des offices intermédiaires. L'office réexpéditeur se crédite de sa quote-part sur l'office intermédiaire ou sur l'office de la nouvelle destination. Dans le cas où le pays de réexpédition et celui de la nouvelle destination ne sont pas limitrophes, le premier office intermédiaire qui reçoit un colis postal réexpédié se crédite du montant de sa quote-part et de celle de l'office réexpéditeur, vis-à-vis de l'office auquel il livre cet objet, et ce dernier a son tour, s'il n'est lui-même qu'un intermédiaire, répète, sur l'office suivant, sa propre quote-part, cumulée avec celle dont il a tenu compte à l'office

The same operation is repeated between the several Offices taking part in the conveyance, until the parcel reaches the delivering Office.

3. But if the amount chargeable for the further conveyance of a re-directed parcel is paid at the time of its re-direction, the parcel is dealt with as if it had been addressed direct from the re-transmitting country to the country of destination, and delivered without any postal charge to the addressee.

4. The senders of parcels which cannot be delivered shall be consulted as to the manner in which they wish to dispose of them.

5. The requests for information are exchanged between the Chief Offices of the Administrations. If within three months, counting from the despatch of the request form, the Office of destination has not received sufficient instructions, the parcel is sent back to the Office of origin.

6. Articles liable to deterioration or corruption may, however, be sold immediately, without previous notice or judicial formality, for the benefit of the right party. An account of the sale is drawn up.

7. Parcels which have to be returned to the sender are entered on the parcel bill with the addition of the word "Undelivered" in the column for observations. They are dealt with and taxed like articles re-directed in consequence of the removal of the addressees.

8. Postal parcels, the addressees of which have left for a country which is a party neither to the Parcel Post Convention of the Universal Postal Union, nor to the Agreement for the exchange of parcels between Belgium and Great Britain, are dealt with as undeliverable, if the Administration of the first country of destination be not in a position to forward the parcel to the addressee.

XI.

1. Each Administration causes each of its exchanging Offices to prepare monthly, for all the mails received from the exchanging Offices of the other Administration, a statement, in conformity with specimen F appended to the present regulations, of the sums entered on each parcel bill, whether to its credit, for its own share and the share of each of the Administrations, if any, concerned in the rates levied by the despatching Office, or to its debit, for the share, due to the re-directing

précédent. La même opération se poursuit dans les rapports entre les différents offices participant au transport, jusqu'à ce que le colis postal parvienne à l'office distributeur.

3. Toutefois si la taxe exigible pour le parcours ultérieur d'un colis à réexpédier est acquittée au moment de la réexpédition, cet objet est traité comme s'il était adressé directement du pays réexpéditeur dans le pays de destination, et remis sans taxe postale au destinataire.

4. Les expéditeurs des colis tombés en rebut seront consultés sur la manière dont ils entendent en disposer.

5. Les demandes d'avis sont échangées entre les Administrations centrales. Si, dans le délai de trois mois à partir de l'expédition de l'avis, le bureau de destination n'a pas reçu des instructions suffisantes, le colis est renvoyé au bureau d'origine.

6. Toutefois les articles sujets à détérioration ou à corruption peuvent être vendus immédiatement, sans avis préalable et sans formalité judiciaire au profit de qui de droit. Il est dressé procès-verbal de la vente.

7. Les colis à renvoyer à l'expéditeur sont inscrits sur la feuille de route avec mention "Rebut" dans la colonne d'observations. Ils sont traités et taxés comme les objets réexpédiés par suite de changement de résidence des destinataires.

8. Les colis postaux dont les destinataires sont partis pour des pays qui n'ont pas adhéré ni à la Convention de l'Union Postale Universelle pour l'échange des colis postaux ni à celle pour l'échange des colis postaux entre la Belgique et la Grande Bretagne, sont considérés comme tombés en rebut si l'Administration du premier pays de destination n'est pas à même de réexpédier le colis au destinataire.

XI.

1. Chaque Administration fait établir mensuellement, par chacun de ses bureaux d'échange et pour tous les envois reçus des bureaux d'échange de l'office correspondant, un état conforme au modèle F annexé au présent règlement, des sommes inscrites sur chaque feuille de route, soit à son crédit, pour sa part et celle de chacune des Administrations intéressées, s'il y a lieu, dans les taxes perçues par l'office expéditeur, soit à son débit, pour la part revenant à l'office réexpéditeur et aux offices inter-

Office and to the intermediary Offices, of the rates to be recovered from the addressees in the case of re-directed and undelivered parcels.

2. The statements F are afterwards recapitulated by the same Administration in an account G, also annexed to the present regulations.

3. This account, accompanied by the monthly statements, the way bills, and, if any, the verification certificates relating thereto, is submitted to the examination of the corresponding Office in the course of the month following that to which it relates.

4. The monthly accounts, after having been verified and accepted on both sides, are included in a general quarterly account by the Office to which the balance is due.

5. The payment resulting from the balance of the accounts between two Offices is made by the indebted Office in francs, in specie, and by means of bills drawn on the capital or one of the commercial towns of the country to which the balance is due,—the expense attendant on the payment being at the charge of the indebted Office.

6. The drawing-up, transmission, and payment of the accounts must be effected as early as possible, and at the latest before the expiration of the following quarter. After the expiration of this term, the sums due from one Office to the other bear interest, at the rate of 5 per cent per annum, to be reckoned from the date of expiration of the said term.

7. The option is, however, reserved to the two Administrations of adopting, by mutual consent, measures other than those formulated in the present article.

XII.

1. The Administrations shall reciprocally communicate to each other some time before the execution of the Agreement an extract of the laws and regulations relating to the conveyance of postal parcels.

2. Every subsequent modification effected in these regulations must be notified without delay.

XIII.

The present detailed regulations take effect on the date when the Agreement comes into force.

médiaires, en cas de réexpédition et de rebut, dans les taxes à recouvrer sur les destinataires.

2. Les états F sont ensuite récapitulés par les soins de la même Administration dans un compte G également annexé au présent règlement.

3. Ce compte accompagné des états partiels, des feuilles de route et, s'il y a lieu, des bulletins de vérification y afférents, est soumis à l'examen de l'office correspondant, dans le courant du mois qui suit celui auquel il se rapporte.

4. Les comptes mensuels, après avoir été vérifiés et acceptés de part et d'autre, sont résumés dans un compte général trimestriel, par les soins de l'Administration créditrice.

5. Le solde résultant de la balance des comptes réciproques entre deux offices est payé par l'office débiteur à l'office créancier en francs effectifs et au moyen de traites tirées sur la capitale ou sur une place commerciale de ce dernier office, les frais du paiement restant à la charge de l'office débiteur.

6. L'établissement, l'envoi et le paiement des comptes doivent être effectués dans le plus bref délai possible, et, au plus tard, avant l'expiration du trimestre suivant. Passé ce délai, les sommes dues par un office à un autre office sont productives d'intérêts, à raison de 5 per centum l'an, à dater du jour de l'expiration du dit délai.

7. Est réservée, toutefois, aux deux Administrations la faculté de prendre d'un commun accord, d'autres dispositions que celles qui sont formulées dans le présent article.

XII.

1. Les Administrations se communiqueront réciproquement quelque temps avant l'exécution de la Convention un extrait des dispositions légales et des ordonnances se rapportant au transport des colis postaux.

2. Toute modification ultérieure apportée à ces dispositions devra être communiquée sans retard.

XIII.

Les présentes dispositions d'exécution entrent en vigueur à la date d'exécution de la Convention.

They shall have the same duration as the Agreement. The Administrations interested have, however, the power by common consent to modify the details from time to time.

Elles auront la même durée que la Convention. Toutefois, les Administrations intéressées ont la faculté de commun accord d'en modifier de temps en temps les détails.

Done in duplicate at London, the 12th day of January 1894, and at Brussels, the 9th day of February 1894.

Fait en double expédition à Bruxelles, le 9 février 1894, et à Londres, le 12 janvier 1894.

(Signed) ARNOLD MORLEY.

L'Administrateur,
(Signé) A. DUBOIS.

D.

475.

Barmen 1.

475. Barmen 1.

et _____

E.

DES COLIS POSTAUX EXPÉDIÉS PAR LE BUREAU D'ÉCHANGE DE _____
AU BUREAU D'ÉCHANGE DE _____

Arrivée _____ du _____, 18____, à _____ h. _____ m. du _____

[illegible]

L'employé du bureau destinataire :

ADMINISTRATION
DES POSTES

d.....

F.

CORRESPONDANCE
AVEC L'OFFICE

d.....

ÉTAT MENSUEL

des sommes que se doivent réciproquement l'Administration des Postes d.....
et l'Administration des Postes d....., à titre de frais, pour les
colis postaux livrés par les bureaux d'échange dépendant de la première Adminis-
tration au bureau d'échange.....

MOIS d.....189..

Dates des feuilles de route.	I. Avoir de l'Office destinataire (colonne 10 de la formule E).						II. Avoir de l'Office expéditeur (colonne 11 de la formule E).						Observations.
	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	Envoi du bureau de	
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Timbre du bureau d'échange
destinataire.

Le chef du bureau d'échange destinataire,



ADMINISTRATION
DES POSTES

G.

CORRESPONDANCE
AVEC L'OFFICE.

COMPT E

récapitulatif des états mensuels des feuilles de route de colis postaux adressees par les
bureaux d'échange d aux bureaux d'échange d

MOIS d 189 . .

Numéros d'ordre.	Désignation des bureaux d'échange destinataires.	Montant des sommes dues, d'après chaque état mensuel, à l'Office.				Numéros d'ordre.	Désignation des bureaux d'échange destinataires.	Montant des sommes dues, d'après chaque état mensuel, à l'Office.			
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Total à reporter						Total général					

TREATY SERIES. No. 18.

1894.

CONVENTION

BETWEEN

GREAT BRITAIN AND CHILE

FOR THE

SETTLEMENT OF CLAIMS ARISING OUT
OF THE CIVIL WAR OF 1891.

Signed at Santiago, September 26, 1893.

[*Ratifications exchanged at Santiago, April 24, 1894.*]

Presented to both Houses of Parliament by Command of Her Majesty.
June 1894

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[C.—7391.]

CONVENTION BETWEEN GREAT BRITAIN AND
CHILE FOR THE SETTLEMENT OF CLAIMS
ARISING OUT OF THE CIVIL WAR OF 1891.

Signed at Santiago, September 26, 1893.

[Ratifications exchanged at Santiago, April 24, 1894.]

HER Majesty the Queen of Great Britain and Ireland and his Excellency the President of the Republic of Chile, desiring to adjust amicably the claims presented by Her Majesty's Legation in Chile arising from the civil war which began on the 7th of January, 1891, have agreed to conclude a Convention for arbitration, and have for that purpose named as their respective Plenipotentiaries:

Her Britannic Majesty, John Gordon Kennedy, Esq., Her Majesty's Minister Resident in Chile; and

His Excellency the President of the Republic of Chile, Señor Don Ventura Blanco Viel, Minister for Foreign Affairs;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following Articles:—

SU Majestad la Reina del Reino Unido de la Gran Bretaña e Irlanda i su Excelencia el Presidente de la República de Chile, a fin de poner un término amistoso a las reclamaciones deducidas por la Legacion de Su Majestad Británica en Chile, con motivo de la guerra civil que se produjo el día 7 de Enero de 1891, han acordado celebrar una Convencion de Arbitraje, a cuyo efecto han nombrado sus respectivos Plenipotenciarios, a saber:

Su Majestad la Reina del Reino Unido de la Gran Bretaña e Irlanda, al Señor Don Juan Gordon Kennedy, Ministro Residente de Su Majestad Británica en Chile; i

Su Excelencia el Presidente de la República de Chile al Señor Don Ventura Blanco Viel, Ministro de Relaciones Exteriores;

Quienes, despues de haberse exhibido sus Poderes i de haberlos encontrado en buena i debida forma, convinieron en las estipulaciones contenidas en los siguientes Artículos:—

ARTICLE I.

A Tribunal of Arbitration shall decide, in the manner and in accordance with the terms prescribed in Article V of the present Convention, all claims for which the Government of Chile may be held responsible in view of the acts and operations executed by the land and sea forces of the Republic during the civil war which began on the 7th of January, 1891, and ended on the 28th of August of the same year, and also those claims which were caused by subsequent events, for which the Government may be held responsible under the provisions of said Article V.

The claims must be supported by Her Britannic Majesty's Legation, and must be presented within the term of six months from the date of the establishment of the Tribunal.

ARTICLE II.

The Tribunal shall consist of three members, that is to say: one appointed by his Excellency the President of the Republic of Chile, one by Her Majesty Queen Victoria, and a third by both High Contracting Parties. This third member shall be neither a Chilean citizen nor a subject of Her Britannic Majesty.

ARTICLE III.

The Tribunal shall admit such methods of proof and inquiry as may, in the judgment and opinion of its members, conduce most effectually to the elucidation of the matters in dispute, and, in particular, to

[71]

ARTICULO I.

Un Tribunal Arbitral decidirá en la forma i según los términos que se establecen en el Artículo V de esta Convencion, todas las reclamaciones que, con motivo de los actos i operaciones ejecutadas por las fuerzas de mar i tierra de la República durante la guerra civil que empezó el 7 de Enero de 1891, i terminó el 28 de Agosto del mismo año, i las que fueren motivadas por sucesos posteriores que, según los términos enunciados en dicha Cláusula V, sean de responsabilidad del Gobierno de Chile.

Las reclamaciones deberán ser patrocinadas por la Legacion de Su Majestad Británica, i presentadas dentro del plazo de seis meses contados desde la fecha de la instalacion del Tribunal.

ARTICULO II.

El Tribunal se compondrá de tres miembros: uno nombrado por su Excelencia. el Presidente de la República de Chile, otro por Su Majestad la Reina Victoria, i el tercero por ambas Altas Partes Contratantes. Esta designacion no podrá recaer en un ciudadano Chileno ni en un súbdito de Su Majestad Británica.

ARTICULO III.

El Tribunal dará acogida a los medios probatorios o de investigacion que, según el criterio i recto discernimiento de sus miembros, fueren conducentes al mejor esclarecimiento de los hechos controvertidos i especial-

B 2

the establishment of the status and neutral character of the several claimants.

The Tribunal shall also admit written and verbal statements made by either Government, or by the Agents or Counsel of either Government.

ARTICLE IV.

Either Government may appoint an Agent with power to watch over the interests committed to his charge; to defend those interests, present petitions, documents, and interrogatories; to state and argue points at issue; to argue in favour of the interests committed to his charge and against the opponents of those interests; to tender evidence and lay before the Tribunal, personally or by Counsel, verbally or in writing (under such rules of procedure and office regulations as the Tribunal shall itself adopt at the commencement of its labours), all such legal doctrines, principles, and precedents as shall seem to him proper.

ARTICLE V.

The Tribunal shall decide the claims according to the evidence tendered, and in accordance with the principles of international law and the practice and jurisprudence established by such analogous modern Tribunals as enjoy the greatest authority and the best reputation, and shall give its decisions, whether provisional or final, by majority of votes.

The Tribunal shall express shortly, in every final judgment, the facts and origin of each claim, the arguments alleged for and against each, and the prin-

mente a la calificación del estado i carácter neutral del reclamante.

El Tribunal admitirá tambien las alegaciones verbales o escritas de ambos Gobiernos o de sus respectivos Agentes o Defensores.

ARTICULO IV.

Cada Gobierno podrá constituir un Ajente que vijile el interés de su parte i atienda a su defensa, presente peticiones, documentos, interrogatorios, ponga o absuelva posiciones, apoye sus cargos o rearguya los contrarios, rinda su prueba i esponga ante el Tribunal, por si o por el órgano de un letrado, verbalmente o por escrito, conforme a las reglas de procedimiento i tramitacion que el mismo Tribunal acordare al iniciar sus funciones, las doctrinas, principios legales, o precedentes que convenga a su derecho.

ARTICULO V.

El Tribunal decidirá las reclamaciones en mérito de la prueba rendida i con arreglo a los principios del derecho internacional i a las prácticas i jurisprudencia establecidas por los Tribunales análogos modernos de mayor autoridad i prestigio, librando sus resoluciones interlocutorias o definitivas por mayoría de votos.

El Tribunal espondrá brevemente, en cada juzgamiento definitivo, los hechos i causales de la reclamacion, los motivos alegados en su apoyo o en su

ciples of international law on which the Tribunal's decision is made to rest.

The decisions and judgments of the Tribunal shall be in writing, and shall be signed by all the members and be attested by the Secretary; the originals shall, together with the documents belonging to each, be deposited in the Chilean Ministry for Foreign Affairs, and copies shall be given to the parties at their request.

The Tribunal shall keep a register, in which shall be noted its proceedings, the petitions of claimants, and the judgments and decisions of the Tribunal.

The Tribunal shall sit at Santiago.

ARTICLE VI.

The Tribunal may appoint such secretaries, reporters, and other officials as it may deem necessary for the proper discharge of its duties.

The Tribunal shall nominate the persons who are to occupy the above-mentioned offices, and shall name the salary or remuneration to be assigned to each.

The said officials shall be appointed by his Excellency the President of the Republic of Chile.

Such judgments of the Tribunal as are to be executed in Chile shall have the support of the Executive in the same manner as the judgments of the ordinary legal Tribunals of that country. Such judgments as are to be executed abroad shall be executed in accordance with the rules and usages of private international law.

contradiccion, i los fundamentos de derecho internacional que justifiquen sus resoluciones.

Las resoluciones i decretos del Tribunal serán escritos i firmados por todos sus miembros i autorizados por su Secretario, i se dejarán orijinales con su respectivo espediente en el Ministerio de Relaciones Exteriores de Chile, dándose a las partes los traslados que solicitaren.

El Tribunal llevará un libro de registro en que se anoten sus procedimientos, las peticiones de los reclamantes, i los decretos i decisiones qui librare.

El Tribunal funcionará en Santiago.

ARTICULO VI.

El Tribunal tendrá la facultad de proveerse de secretarios, relatores, i demas oficiales que estime necesarios para el buen desempeño de sus funciones.

Corresponde al Tribunal proponer a las personas que hayan de desempeñar respectivamente aquellas funciones i designar los sueldos o remuneraciones que hayan de asignárseles.

El nombramiento de los expresados oficiales se hará por su Excelencia el Presidente de la República de Chile.

Los decretos del Tribunal que hayan de cumplirse en Chile tendrán el auxilio de la fuerza pública, como los espedidos por los Tribunales ordinarios del país. Los que hayan de ejecutarse en el extranjero se llevarán a efecto conforme a las reglas i usos del derecho internacional privado.

ARTICLE VII.

The Tribunal shall, for the final discharge of its duties in regard to all claims submitted to its consideration and decision, be allowed a term of one year from the date on which it shall declare itself validly constituted. When this term shall have expired the Tribunal shall have power to prolong its existence for a further period, which may not exceed six months, in case the illness or temporary incapacity of any of its members, or any other event of acknowledged gravity, may have prevented it from fulfilling the duties intrusted to it within the term fixed under the first paragraph of this Article.

ARTICULO VII.

El Tribunal tendrá para evacuar su encargo en todas las reclamaciones sujetas a su conocimiento i decision, el plazo de un año contado desde el día en que se declare instalado. Transcurrido este plazo, el Tribunal tendrá la facultad de prorogar sus funciones por un nuevo período que no podrá exceder de seis meses, en caso que por enfermedad o inhabilidad temporal de alguno de sus miembros o por otro motivo de calificada gravedad no hubiere alcanzado a desempeñar su cometido dentro del plazo fijado en el primer inciso.

ARTICLE VIII.

Each of the Contracting Governments shall bear the expenses of its own proceedings and the remuneration of its own Agents and Counsel.

The payment of salaries to the members of the Tribunal shall commence only from the date of the commencement of their duties.

Expenses involved by the creation of the Tribunal, the remuneration of its members, the salaries of the secretaries, reporters, and other officials, and all other expenses and costs of the services rendered to both parties, shall be defrayed in moieties by the two Governments; but if any sums of money are awarded to the claimants there shall be deducted therefrom the above-mentioned common expenses and costs, in so far as they shall

ARTICULO VIII.

Cada uno de los Gobiernos Contratantes sufragará los gastos de sus propias jestioness i los honorarios de sus respectivos agentes o defensores.

El pago de los sueldos de los miembros del Tribunal se hará a partir de la fecha en que empiecen a desempeñar sus funciones.

Las espensas de la organizacion del Tribunal, los honorarios de sus miembros, los sueldos de los secretarios, relatores, i otros empleados, i demas gastos i costos del servicio, serán pagados entre ambos Gobiernos por mitad; pero, si hubiere cantidades juzgadas a favor de los reclamantes, se deducirán de éstas las antedichas espensas i gastos comunes en cuanto no excedan del 6 por ciento de los valores que baya de pagar el Tesoro. de Chile

not exceed 6 per cent. of the total amounts to be paid by the Chilean Treasury on account of such claims respectively as may be admitted.

Sums awarded by the Tribunal to claimants shall be paid by the Government of Chile to the Government of Her Britannic Majesty through Her Majesty's Legation at Santiago, or through any person designated for the purpose by Her Majesty, within the term of one year from the date on which judgment on any claim shall have been given, but no interest shall during such time accrue to the successful claimant.

The Government of Chile will deduct from any sums paid by them in satisfaction of claims submitted to the Tribunal, whether paid by order of the Tribunal or by private arrangement, the amounts stipulated in the third paragraph of this Article, such amounts to be retained and applied towards payment of the common expenses of arbitration.

ARTICLE IX.

The High Contracting Parties bind themselves to consider the decisions of the Tribunal established by the present Convention as affording a satisfactory, complete, and irrevocable settlement of the difficulties which it is proposed to abrogate, and to agree that all claims of subjects of Her Britannic Majesty presented, or omitted to be presented, under the conditions laid down in the preceding Articles, shall equally be held to be finally decided,

por la totalidad de las reclamaciones aceptadas.

Las sumas que el Tribunal juzgue en favor de los reclamantes serán entregadas por el Gobierno de Chile al Gobierno de Su Majestad Británica por conducto de su Legacion en Santiago o de la persona que ésta designare, en el término de un año, a contar desde la fecha de su respectiva resolucion, sin que durante este plazo devenguen dichas sumas interés alguno en favor de los espresados reclamantes.

El Gobierno de Chile deducirá de cualesquiera sumas que pague en satisfaccion de los reclamos sometidos al Tribunal, sea que el pago se haga por orden del Tribunal o en vista de un arreglo privado, las cantidades estipuladas en el inciso tercero de este Artículo, debiendo ser retenidas i empleadas dichas cantidades en el pago de las espensas comunes de arbitraje.

ARTICULO IX.

Las Altas Partes Contratantes se obligan a considerar los juzgamientos del Tribunal que se organiza por esta Convencion como una terminacion satisfactoria, perfecta, e irrevocable de las dificultades cuyo arreglo se ha tenido en mira i en la inteligencia de que todas las reclamaciones de los súbditos de Su Majestad Británica presentadas u omitidas en las condiciones señaladas en los Artículos precedentes, se tendrán por decididas i juzgadas definitivamente

and to have been the subject of a judgment, in such a manner that for no cause or pretext can such claims ever again be examined or discussed.

i de modo que por ningún motivo ó pretexto puedan ser materia de nuevo exámen o discusion.

ARTICLE X.

If the High Contracting Parties do not agree respecting the nomination of an Umpire, His Majesty the King of the Belgians shall be requested to name one, and in that case the period within which the Tribunal shall commence its labours shall be six months from the date of the exchange of the ratifications of this Convention.

ARTICULO X.

Si las Altas Partes Contratantes no llegaren a un acuerdo respecto del tercero, se solicitará de Su Majestad el Rei de los Belgas que haga la designacion, i en ese caso el período dentro del cual el Tribunal deba empezar sus tareas será de seis meses contados desde la fecha del canje de la ratificaciones de esta Convencion.

ARTICLE XI.

The present Convention shall be ratified by the High Contracting Parties, and the ratifications shall be exchanged at Santiago.

In testimony whereof the Plenipotentiaries of Chile and of Her Britannic Majesty have signed *ad referendum* the present Convention in duplicate in the Spanish and English languages, and have affixed thereto their seals.

Done in Santiago, the twenty-sixth day of September, the year of our Lord one thousand eight hundred and ninety-three.

(LS.) J. G. KENNEDY.

ARTICULO XI.

La presente Convencion será ratificada por las Altas Partes Contratantes, i el canje de estas ratificaciones se verificará en Santiago.

En fe de lo cual los infrascriptos Plenipotenciarios de Chile i de Su Majestad Británica firmaron *ad referendum* i en doble ejemplar la presente Convencion, escrita en los idiomas Castellano e Ingles, i la sellaron con sus sellos respectivos.

Hecha en Santiago, a los veintiseis dias del mes de Setiembre del año de N.S. mil ochocientos noventa i tres.

(LS.) V. BLANCO.

TREATY SERIES. No. 11.

1894.

CONVENTION

BETWEEN

GREAT BRITAIN AND CHINA

RELATING TO

SIKKIM AND TIBET.

Signed at Calcutta, March 17, 1890.

WITH REGULATIONS APPENDED THERETO, SIGNED AT DARJEELING,
DECEMBER 5, 1893.

[The text of the Convention is identical with that published in Parliamentary
Paper C. 6208, 1890.]

Presented to both Houses of Parliament by Command of Her Majesty.
April 1894.

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[C.—7312.]

CONVENTION BETWEEN GREAT BRITAIN
AND CHINA RELATING TO SIKKIM AND
TIBET.

Signed at Calcutta, March 17, 1890.

[*Ratifications exchanged at London, August 27, 1890.*]

ENGLISH TEXT.

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires; and whereas recent occurrences have tended towards a disturbance of the said relations, and it is desirable to clearly define and permanently settle certain matters connected with the boundary between Sikkim and Tibet, Her Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject, and have, for this purpose, named Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, his Excellency the Most Honourable Henry Charles Keith Petty Fitzmaurice, G.M.S.I., G.C.M.G., G.M.I.E, Marquess of Lansdowne, Viceroy and Governor-General of India;

And His Majesty the Emperor of China, his Excellency Shêng Tai, Imperial Associate Resident in Tibet, Military Deputy Lieutenant-Governor;

Who, having met and communicated to each other their full powers, and finding these to be in proper form, have agreed upon the following Convention in eight Articles:—

ARTICLE I.

The boundary of Sikkim and Tibet shall be the crest of the mountain range separating the waters flowing into the Sikkim Teesta and its affluents from the waters flowing into the Tibetan Mochu and northwards into other Rivers of Tibet. The line com-

mences at Mount Gipmochi on the Bhutan frontier, and follows the above-mentioned water-parting to the point where it meets Nipal territory.

ARTICLE II.

It is admitted that the British Government, whose Protectorate over the Sikkim State is hereby recognized, has direct and exclusive control over the internal administration and foreign relations of that State, and except through and with the permission of the British Government, neither the Ruler of the State nor any of its officers shall have official relations of any kind, formal or informal, with any other country.

ARTICLE III.

The Government of Great Britain and Ireland and the Government of China engage reciprocally to respect the boundary as defined in Article I, and to prevent acts of aggression from their respective sides of the frontier.

ARTICLE IV.

The question of providing increased facilities for trade across the Sikkim-Tibet frontier will hereafter be discussed with a view to a mutually satisfactory arrangement by the High Contracting Powers.

ARTICLE V.

The question of pasturage on the Sikkim side of the frontier is reserved for further examination and future adjustment.

ARTICLE VI.

The High Contracting Powers reserve for discussion and arrangement the method in which official communications between the British authorities in India and the authorities in Tibet shall be conducted.

ARTICLE VII.

Two joint Commissioners shall, within six months from the ratification of this Convention, be appointed, one by the British Government in India, the other by the Chinese Resident in Tibet. The said Commissioners shall meet and discuss the questions which, by the last three preceding Articles, have been reserved.

ARTICLE VIII.

The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

In witness whereof the respective negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quadruplicate at Calcutta, this 17th day of March, in the year of our Lord 1890, corresponding with the Chinese date, the 27th day of the 2nd moon of the 16th year of Kuang Hsü.

(L.S.) (Signed) LANSDOWNE.

(L.S.) Signature of the Chinese Plenipotentiary.

REGULATIONS *regarding Trade, Communication, and Pasturage, to be appended to the Sikkim-Tibet Convention of 1890.—Signed at Darjeeling, December 5, 1893.*

I. A trade mart shall be established at Yatung on the Tibetan side of the frontier, and shall be open to all British subjects for purposes of trade from the 1st day of May, 1894. The Government of India shall be free to send officers to reside at Yatung to watch the conditions of British trade at that mart.

II. British subjects trading at Yatung shall be at liberty to travel freely to and fro between the frontier and Yatung, to reside at Yatung, and to rent houses and godowns for their own accommodation, and the storage of their goods. The Chinese Government undertake that suitable buildings for the above purposes shall be provided for British subjects, and also that a special and fitting residence shall be provided for the officer or officers appointed by the Government of India under Regulation I to reside at Yatung. British subjects shall be at liberty to sell their goods to whomsoever they please, to purchase native commodities in kind or in money, to hire transport of any kind, and in general to conduct their business transactions in conformity with local usage, and without any vexatious restrictions. Such British subjects shall receive efficient protection for their persons and property. At Lang-jo and Ta-chun, between the frontier and Yatung, where rest-houses have been built by the Tibetan authorities, British subjects can break their journey in consideration of a daily rent.

III. Import and export trade in the following articles: arms, ammunition, military stores, salt, liquors, and intoxicating or narcotic drugs, may, at the option of either Government, be entirely prohibited, or permitted only on such conditions as either Government, on their own side, may think fit to impose.

IV. Goods, other than goods of the descriptions enumerated in Regulation III, entering Tibet from British India, across the Sikkim-Tibet frontier, or *vice versa*, whatever their origin, shall be exempt from duty for a period of five years, commencing from the date of the opening of Yatung to trade, but after the expiration of this term, if found desirable, a tariff may be mutually agreed upon and enforced.

Indian tea may be imported into Tibet at a rate of duty not exceeding that at which Chinese tea is imported into England, but trade in Indian tea shall not be engaged in during the five years for which other commodities are exempt.

V. All goods on arrival at Yatung, whether from British India or from Tibet, must be reported at the Customs Station there for examination, and the report must give full particulars of the description, quantity, and value of the goods.

VI. In the event of trade disputes arising between British and Chinese or Tibetan subjects in Tibet, they shall be inquired into and settled in personal conference by the Political Officer for Sikkim and the Chinese frontier officer. The object of personal conference being to ascertain facts and do justice, where there is a divergence of views, the law of the country to which the defendant belongs shall guide.

VII. Despatches from the Government of India to the Chinese Imperial Resident in Tibet shall be handed over by the Political Officer for Sikkim to the Chinese Frontier Officer, who will forward them by special courier.

Despatches from the Chinese Imperial Resident in Tibet to the Government of India will be handed over by the Chinese Frontier Officer to the Political Officer for Sikkim, who will forward them as quickly as possible.

VIII. Despatches between the Chinese and Indian officials must be treated with due respect, and couriers will be assisted in passing to and fro by the officers of each Government.

IX. After the expiration of one year from the date of the opening of Yatung, such Tibetans as continue to graze their cattle in Sikkim will be subject to such Regulations as the British Government may from time to time enact for the general conduct of grazing in Sikkim. Due notice will be given of such Regulations.

GENERAL ARTICLES.

I. In the event of disagreement between the Political Officer for Sikkim and the Chinese Frontier Officer, each official shall report the matter to his immediate superior, who in turn, if a settlement is not arrived at between them, shall refer such matter to their respective Governments for disposal.

II. After the lapse of five years from the date on which these Regulations shall come into force, and on six months' notice given by either party, these Regulations shall be subject to revision by Commissioners appointed on both sides for this purpose, who shall

be empowered to decide on and adopt such amendments and extensions as experience shall prove to be desirable.

III. It having been stipulated that Joint Commissioners should be appointed by the British and Chinese Governments under the VIIth Article of the Sikkim-Tibet Convention to meet and discuss, with a view to the final settlement of the questions reserved under Articles IV, V, and VI of the said Convention; and the Commissioners thus appointed having met and discussed the questions referred to, namely, Trade, Communication, and Pasturage, have been further appointed to sign the Agreement in nine Regulations and three General Articles now arrived at, and to declare that the said nine Regulations and the three General Articles form part of the Convention itself.

In witness whereof the respective Commissioners have hereto subscribed their names.

Done in quadruplicate at Darjeeling, this 5th day of December, in the year 1893, corresponding with the Chinese date the 28th day of the 10th moon of the 19th year of Kuang Hsü.

	(Signed)	A. W. PAUL,
(L.S.)		<i>British Commissioner.</i>
	(Signed)	HO CHANG-JUNG,
		JAMES H. HART,
(L.S.)		<i>Chinese Commissioners.</i>

TREATY SERIES. No. 19.

1894.

CONVENTION

BETWEEN

GREAT BRITAIN AND CHINA,

GIVING EFFECT TO

ARTICLE III OF THE CONVENTION OF
JULY 24, 1886,
RELATIVE TO BURMAH AND THIBET.

Signed at London, March 1, 1894.

[*Ratifications exchanged at London, August 23, 1894.*]

*Presented to both Houses of Parliament by Command of Her Majesty.
August 1894.*

LONDON:

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[C.—7547.]

CONVENTION BETWEEN GREAT BRITAIN AND
CHINA, GIVING EFFECT TO ARTICLE III OF
THE CONVENTION OF JULY 24, 1886, RELATIVE
TO BURMAH AND THIBET.

Signed at London, March 1, 1894.

[*Ratifications exchanged at London, August 23, 1894.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, being sincerely desirous of consolidating the relations of friendship and good neighbourhood which happily exist between the two Empires, have resolved to conclude a Convention with the view of giving effect to Article III of the Convention relative to Burmah and Thibet, signed at Peking on the 24th July, 1886, and have appointed as their Plenipotentiaries for this purpose, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable the Earl of Rosebery, Knight of the Most Noble Order of the Garter, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs ;

And His Majesty the Emperor of China, Sieh Ta-jên, Envoy Extraordinary and Minister Plenipotentiary of China at the Court of St. James', and Vice-President of the Imperial Board of Censors ;

Who, having mutually communicated to each other their respective Full Powers, found to be in good and due form, have agreed upon the following Articles :—

ARTICLE I.

It is agreed that the frontier between the two Empires, from latitude $25^{\circ} 35'$ north, shall run as follows :—

Commencing at the high conical peak situated approximately in that latitude and in longitude $98^{\circ} 14'$ east of Greenwich and $18^{\circ} 16'$ west of Peking, the line will follow, as far as possible, the crest of the hills running in a south-westerly direction through Kaolang Pum and the Warong Peak, and thence run nearly midway between the villages of Wanchon and Kaolang—leaving the former to Burmah and the latter to China—on to Sabu Pum.

From Sabu Pum the frontier will run in a line slightly to the

south of west through Shatrung Pum to Namienku Pum ; thence it will be continued, still running in a south-westerly direction, along the crest of the hills until it strikes the Tazar Kha River, the course of which it will follow from its source to its confluence with the Nam Tabet or Tabak Kha, thus leaving Uka to the east and Laipong to the west.

From the confluence of the Tazar Kha River with the Tabak Kha, the frontier will ascend the latter river to its junction with the Lekra Kha, which it will follow to its source near Nkrang. From the source of the Lekra Kha, leaving Nkrang, Kukum, and Singra to the west, and Sima and Mali to the east, the line will follow the Lesa Kha from its western source to its junction with the Mali River, and thence will ascend the Mali to its source near Hpunra Shikong ; thence it will run in a south-westerly direction along the Laisa Kha from its source down to the point where it falls into the Molé River near Kadon, leaving the village of Kadon to the west and that of Laisa to the east.

The line will then follow the course of the Molé in a south-easterly direction to the place where it receives the Che Yang Kha, which latter river it will follow to its source in the Alau Pum. It will then be directed along the Nampaung River from its western source down to where it enters the Taping River.

This concludes the description of the first section of the frontier.

ARTICLE II.

The second section of the frontier, or that portion of it which extends from the Taping River to the neighbourhood of Meung Mao, will run as follows :—

Starting from the junction of the Khalong Kha with the Taping River, the frontier will follow the Khalong Kha and its western branch to its source ; it will be drawn thence southward to meet the Sipaho or Lower Nanthabet at a spot immediately to the south-west of Hanton, leaving Matin to Great Britain and Loilong-ga-tong, Tiêh-pi-Kwan, and Hanton to China ; thence it will ascend the branch of the last-named river which has its source nearest to that of the Mantein Kha. It will thence follow the crests of the line of hills running in a south-easterly direction to the more southerly of the two places named Kadaw, which is close to the Namwan River, leaving Kadaw to China and Palen to Great Britain. It will follow the Namwan River in a south-westerly direction down to the point in about latitude $23^{\circ} 55'$, where that river takes a south-easterly course. Thence it will run in a direction somewhat west of south to the Nammak River, leaving Namkhai to Great Britain. It will follow the Nammak River to the point where it bifurcates in about latitude $23^{\circ} 47'$, and will then ascend the southern branch till it reaches the crest of a high range of hills to the south of Mawsiu, in about latitude $23^{\circ} 45'$. It will follow the crest of this range (which runs slightly to the north of east) until it reaches the Shweli River at its junction

with the Nammak, thus leaving to China the district of Mawsiu, the spot recently identified as Tien-ma-Kwan and the villages of Hinglon and Kongmow, lying to the north of the above-mentioned range.

It will then follow the course of the Shweli River, and where the river bifurcates, it will follow the more southerly of the two branches, leaving to China the island formed by them, until it reaches a point near the eastern end of the loop which the river forms opposite to Meung Mao, as indicated in the next Article of the Convention.

The Government of China consent that the most direct of the roads between Bhamo and Namkhan, where it passes through the small portion of Chinese territory south of the Namwan, shall, while remaining entirely open to Chinese subjects and to the tribesmen subject to China, be free and open to Great Britain for travellers, commerce, and administrative purposes, without any restrictions whatever. Her Britannic Majesty's Government shall have the right, after communication with the Chinese authorities, to execute any works which may be desirable for the improvement or repair of the road, and to take any measures which may be required for the protection of the traffic and the prevention of smuggling.

It is equally agreed that British troops shall be allowed to pass freely along this road. But no body of troops more than 200 in number shall be dispatched across it without the consent of the Chinese authorities, and previous notice in writing shall be given of every armed party of more than twenty men.

ARTICLE III.

The third section of the frontier will run as follows :—

It will commence from a point on the Shweli River, near to the east end of the loop formed by that river opposite to Meung Mao ; thence paying due regard to the natural features and the local conditions of the country, it will trend in a south-easterly direction towards Ma-li-pa until it reaches, at a point in about longitude $98^{\circ} 7'$ east of Greenwich ($18^{\circ} 23'$ west of Peking), and latitude $23^{\circ} 52'$, a conspicuous mountain range. It will follow the crests of that range through Loiaipong and Loipanglom until it reaches the Salween River, in about latitude $23^{\circ} 41'$.

This portion of the frontier from the Shweli to the Salween River shall be settled by the Boundary Commission provided for in Article VI of the present Convention, and in such a manner as to give to China at least as much territory as would be included if the frontier were drawn in a straight line from Meung Mao towards Ma-li-pa.

If it should be found that the most suitable frontier will give to China a larger amount of territory than is stated above, the compensation to be given to Great Britain on some other part of the frontier shall be matter for subsequent arrangement.

From latitude $23^{\circ} 41'$ the frontier will follow the Salween

until it reaches the northern boundary of the circle of Kunlong. It will follow that boundary in an easterly direction, leaving the whole circle of Kunlong, and the ferry of that name, to Great Britain, and leaving to China the State of Kokang.

It will then follow the course of the river forming the boundary between Somu, which belongs to Great Britain, and Mêng Ting, which belongs to China. It will still continue to follow the frontier between those two districts, which is locally well known, to where it leaves the aforesaid river and ascends the hills; and will then follow the line of water-parting between the tributaries of the Salween and the Meikong Rivers, from about longitude 99° east of Greenwich ($17^{\circ} 30'$ west of Peking), and latitude $23^{\circ} 20'$, to a point about longitude $99^{\circ} 40'$ east of Greenwich ($16^{\circ} 50'$ west of Peking), and latitude 23° , leaving to China the Tsawbwshaws of Kêng Ma, Mengtung, and Mengko.

At the last-named point of longitude and latitude the line strikes a very lofty mountain range, called Kong-Ming-Shan, which it will follow in a southerly direction to about longitude $99^{\circ} 30'$ east of Greenwich (17° west of Peking), and latitude $22^{\circ} 30'$, leaving to China the district of Chen-pien Tíng. Then, descending the western slope of the hills to the Namka River, it will follow the course of that river for about $10'$ of latitude, leaving Munglem to China, and Manglín to Great Britain.

It will then follow the boundary between Munglem and Kyaing Tong, which is locally well known, diverging from the Namka River a little to the north of latitude 22° , in a direction somewhat south of east, and generally following the crest of the hills till it strikes the Namlam River in about latitude $21^{\circ} 45'$, and longitude 100° east of Greenwich ($16^{\circ} 30'$ west of Peking).

It will then follow the boundary between Kyaing Tong and Kiang Hung, which is generally formed by the Namlam River, with the exception of a small strip of territory belonging to Kiang Hung, which lies to the west of that river just south of the last-named parallel of latitude. On reaching the boundary of Kyaing Chaing, in about latitude $21^{\circ} 27'$, and longitude $100^{\circ} 12'$ east of Greenwich ($16^{\circ} 18'$ west of Peking), it will follow the boundary between that district and Kiang Hung until it reaches the Meikong River.

ARTICLE IV.

It is agreed that the settlement and delimitation of that portion of the frontier which lies to the north of latitude $25^{\circ} 35'$ north shall be reserved for a future understanding between the High Contracting Parties when the features and condition of the country are more accurately known.

ARTICLE V.

In addition to the territorial concessions in Northern Theinni, and the cession to China of the State of Kokang, which result from

the frontier as above described, Her Britannic Majesty, in consideration of the abandonment of the claims advanced by China to the territory lying outside and abutting on the frontier of the Prefecture of Yung Chang and Sub-Prefecture of Teng Yüeh, agrees to renounce in favour of His Majesty the Emperor of China, and of his heirs and successors for ever, all the suzerain rights in and over the States of Munglem and Kiang Hung formerly possessed by the Kings of Ava concurrently with the Emperors of China. These and all other rights in the said States, with the titles, prerogatives, and privileges thereto pertaining, Her Majesty the Queen-Empress renounces as aforesaid, with the sole proviso that His Majesty the Emperor of China shall not, without previously coming to an agreement with Her Britannic Majesty, cede either Munglem or Kiang Hung, or any portion thereof, to any other nation.

ARTICLE VI.

It is agreed that, in order to avoid any local contention, the alignments of the frontier described in the present Convention, and shown on the maps annexed thereto, shall be verified and demarcated, and, in case of its being found defective at any point, rectified by a Joint Commission appointed by the High Contracting Parties; and that the said Commission shall meet, at a place hereafter to be determined on by the two Governments, not later than twelve months after the exchange of the ratifications of the present Convention; and shall terminate its labours in not more than three years from the date of its first meeting.

It is understood that any alterations in the alignment which the Joint Commission may find it necessary to make shall be based on the principle of equivalent compensations, having regard not only to the extent, but also to the value, of the territory involved. Further, that should the members of the Commission be unable to agree on any point, the matter of disagreement shall at once be referred to their respective Governments.

The Commission shall also endeavour to ascertain the situation of the former frontier-post of China named Hanlung Kwan. If this place can be identified, and is found to be situated in British territory, the British Government will consider whether it can, without inconvenience, be ceded to China.

If it shall be found to the south-east of Meung Mao so as to be on the northern side of the straight line drawn from that place towards Ma-li-pa, it will in that case already belong to China.

ARTICLE VII.

It is agreed that any posts belonging to either country which may be stationed within the territory of the other when the Commission of Delimitation shall have brought its labours to a conclusion shall, within eight months from the date of such conclusion, be withdrawn, and their places occupied by the troops

of the other, mutual notice having in the meantime been given of the precise date at which the withdrawal and occupation will take place. From the date of such occupation the High Contracting Parties shall each within its own territories hold itself responsible for the maintenance of good order, and for the tranquillity of the tribes inhabiting them.

The High Contracting Parties further engage neither to construct nor to maintain within 10 English miles from the nearest point of the common frontier, measured in a straight line and horizontal projection, any fortifications or permanent camps, beyond such posts as are necessary for preserving peace and good order in the frontier districts.

ARTICLE VIII.

Subject to the conditions mentioned hereafter in Articles X and XI, the British Government, wishing to encourage and develop the land trade of China with Burmah as much as possible, consent, for a period of six years from the ratification of the present Convention, to allow Chinese produce and manufactures, with the exception of salt, to enter Burmah by land duty free, and to allow British manufactures and Burmese produce, with the exception of rice, to be exported to China by land free of duty.

The duties on salt and rice so imported and exported shall not be higher than those imposed on their import or export by sea.

ARTICLE IX.

Pending the negotiation of a more complete arrangement, and until the development of the trade shall justify the establishment of other frontier Customs stations, goods imported from Burmah into China or exported from China into Burmah shall be permitted to cross the frontier by Manwyne and by Sansi.

With a view to the development of trade between China and Burmah, the Chinese Government consent that for six years from the ratification of the present Convention the duties levied on goods imported into China by these routes shall be those specified in the General Tariff of the Maritime Customs diminished by three-tenths, and that the duties on goods exported from China by the same route shall be those specified in the same Tariff diminished by four-tenths.

Transit passes for imports and exports shall be granted in accordance with the Rules in force at the Treaty ports.

Smuggling or the carrying of merchandize through Chinese territory by other routes than those sanctioned by the present Convention shall, if the Chinese authorities think fit, be punished by the confiscation of the merchandize concerned.

ARTICLE X.

The following articles, being munitions of war, shall neither be exported from Burmah into China, nor imported from China into Burmah, save at the requisition of the Government desiring their importation; neither shall they be sold to parties other than those who have been duly authorized by their respective Governments to purchase them:—

Cannon, shot and shell, cartridges and ammunition of all kinds, fire-arms and weapons of war of every description. Saltpetre, sulphur, brimstone, gunpowder, dynamite, gun-cotton, or other explosives.

ARTICLE XI.

The exportation from Burmah into China of salt is prohibited.

The exportation from China into Burmah of cash, rice, pulse, and grains of every kind is prohibited.

The importation and exportation across the frontier of opium and spirituous liquors is prohibited, excepting in small quantities for the personal use of travellers. The amount to be permitted will be settled under Customs Regulations.

Infractions of the conditions set forth in this and the preceding Article will be punishable by confiscation of all the goods concerned.

ARTICLE XII.

The British Government, wishing to promote frontier trade between the two countries by encouraging mining enterprise in Yünnan and in the new territorial acquisitions of China referred to in the present Convention, consent to allow Chinese vessels carrying merchandize, ores, and minerals of all kinds, and coming from or destined for China, freely to navigate the Irrawaddy on the same conditions as to dues and other matters as British vessels.

ARTICLE XIII.

It is agreed that His Majesty the Emperor of China may appoint a Consul in Burmah, to reside at Rangoon; and that Her Britannic Majesty may appoint a Consul to reside at Manwyne; and that the Consuls of the two Governments shall each within the territories of the other enjoy the same privileges and immunities as the Consuls of the most favoured nation.

Further, that, in proportion as the commerce between Burmah and China increases, additional Consuls may be appointed by mutual agreement, to reside at such places in Burmah and Yünnan as the requirements of the trade may seem to demand.

The correspondence between the British and Chinese Consuls respectively, and the chief authority at the place where they reside, shall be conducted on terms of perfect equality.

ARTICLE XIV.

Passports, written in Chinese and English, and identical in terms to those issued to foreigners at the Treaty ports in China, shall, on the application of the proper British authorities, be issued to British merchants and others wishing to proceed to China from Burmah, by the Chinese Consul at Rangoon or by the Chinese authorities on the frontier; and Chinese subjects wishing to proceed to Burmah from China shall, on the application of any recognized Chinese official, be entitled to receive similar passports from Her Britannic Majesty's Consul at Manwyne or other convenient places in China where there may be a British Consular officer.

ARTICLE XV.

Should criminals, subjects of either country, take refuge in the territory of the other, they shall, on due requisition being made, be searched for, and, on reasonable presumption of their guilt being established, they shall be surrendered to the authorities demanding their extradition.

"Due requisition" shall be held to mean the demand of any functionary of either Government possessing a seal of office, and the demand may be addressed to the nearest frontier officer of the country in which the fugitive has taken refuge.

ARTICLE XVI.

With a view to improving the intercourse between the two countries, and placing the Chinese Consul at Rangoon in communication with the High Provincial Authorities in Yünnan, the High Contracting Parties undertake to connect the telegraphic systems of the two countries with each other as soon as the necessary arrangements can be made; the line will, however, at first only be used for the transmission of official telegrams and of general messages for and from Burmah and the Province of Yünnan.

ARTICLE XVII.

It is agreed that subjects of the two Powers shall each within the territories of the other enjoy all the privileges, immunities, and advantages that may have been, or may hereafter be, accorded to the subjects of any other nation.

ARTICLE XVIII.

It is agreed that the commercial stipulations contained in the present Convention being of a special nature and the result of mutual concessions, consented to with a view to adapting them to local conditions and the peculiar necessities of the Burmah-China

10 1°28°

27

27

26

26°

25

25^c

MAP

To illustrate Convention of March 1st 1894
between

GREAT BRITAIN AND CHINA

From the Map of UPPER BURMA
by the Surveyor General of INDIA

Scale $\frac{1}{1267200}$ or 1 Inch = 20 Miles

Miles 10

i)

20

60

86

100 Miles

LAT: 25°35' N.
LONG: 98°14' E. (Greenwich)

TALIFU
6668

SHUNNINGFU



W.O. No. 1050

98°

99°

100°

101°

Photozincographed at the Ordnance Survey Office, Southampton, Sep^r 1894

overland trade, the advantages accruing from them shall not be invoked by the subjects of either Power residing at other places where the two Empires are conterminous, excepting where the same conditions prevail, and then only in return for similar concessions.

ARTICLE XIX.

The arrangements with regard to trade and commerce contained in the present Convention being of a provisional and experimental character, it is agreed that should subsequent experience of their working, or a more intimate knowledge than is now possessed of the requirements of the trade, seem to require it, they may be revised at the demand of either party after a lapse of six years after the exchange of ratifications of the present Convention, or sooner should the two Governments desire it.

ARTICLE XX.

The ratification of the present Convention under the hand of Her Britannic Majesty and of His Majesty the Emperor of China shall be exchanged in London in six months from this day of signature, or sooner if possible.

The Convention shall come into force immediately after the exchange of ratifications.

In token whereof the respective Plenipotentiaries have signed this Convention in four copies, two in Chinese and two in English.

Done at London this first day of March, one thousand eight hundred and ninety-four, corresponding to the 24th day of the 1st moon of the 20th year of Kuang Hsü.

(L.S.)
(L.S.)

ROSEBERY.
SIE H.

Declaration.

On proceeding to the signature this day of the Convention between Great Britain and China, giving effect to Article III of the Convention relative to Burmah and Thibet, signed at Peking on the 24th July, 1886:

The undersigned Plenipotentiaries declare that, inasmuch as the present Convention has been concluded for the special purpose mentioned in the preamble thereof, the stipulations contained therein are applicable only to those parts of the dominions of Her Britannic Majesty and of His Majesty the Emperor of China to which the said Convention expressly relates, and are not to be construed as applicable elsewhere.

Done at London the 1st day of March, 1894.

(L.S.)
(L.S.)

ROSEBERY.
SIEH.

FRANCE. No. 1 (1894).

AGREEMENT

BETWEEN THE

GOVERNMENTS OF GREAT BRITAIN AND
FRANCE

WITH REGARD TO THE

SOMALI COAST,

FEBRUARY 1888.

Presented to both Houses of Parliament by Command of Her Majesty.
June 1894

LONDON:

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[C.—7389.] *Price 1d.*

Agreement between the Governments of Great Britain and France with regard to the Somali Coast, February 1888.

No. 1.

M. Waddington to the Marquis of Salisbury.—(Received February 7.)

M. le Marquis,

Londres, le 2 Février, 1888.

LE Gouvernement de la République Française et le Gouvernement de Sa Majesté Britannique étant désireux d'arriver à un accord relativement à leurs droits respectifs dans le Golfe de Tadjourah et sur la Côte Somali, j'ai eu l'honneur d'entretenir votre Seigneurie à plusieurs reprises de cette question. Après un échange amical de vues nous sommes tombés d'accord hier sur les arrangements suivants :—

1. Les Protectorats exercés ou à exercer par la France et la Grande-Bretagne seront séparés par une ligne droite partant d'un point de la côte situé en face des puits d'Hadou et dirigée sur Abassouën en passant à travers les dits puits ; d'Abassouën la ligne suivra le chemin des caravanes jusqu'à Bia-Kabouba, et de ce dernier point elle suivra la route des caravanes de Zeylah à Harrar, passant par Gildessa. Il est expressément convenu que l'usage des puits d'Hadou sera commun aux deux parties.

2. Le Gouvernement de Sa Majesté Britannique reconnaît le Protectorat de la France sur les côtes du Golfe de Tadjourah, y compris le groupe des Iles Muchah et l'Îlot de Bab, situés dans le golfe, ainsi que sur les habitants, les tribus, et les fractions de tribus situés à l'ouest de la ligne ci-dessus indiquée.

Le Gouvernement de la République Française reconnaît le Protectorat de la Grande-Bretagne sur la côte à l'est de la ligne ci-dessus jusqu'à Bender-Ziâdeh, ainsi que sur les habitants, les tribus, et les fractions de tribus situés à l'est de la même ligne.

3. Les deux Gouvernements s'interdisent d'exercer aucune action ou intervention, le Gouvernement de la République à l'est de la ligne ci-dessus, le Gouvernement de Sa Majesté Britannique à l'ouest de la même ligne.

4. Les deux Gouvernements s'engagent à ne pas chercher à annexer le Harrar ou à le placer sous leur Protectorat. En prenant cet engagement, les deux Gouvernements ne renoncent pas au droit de s'opposer à ce que toute autre Puissance acquière ou s'arroge des droits quelconques sur le Harrar.

5. Il est expressément entendu que la route des caravanes de Zeylah à Harrar, passant par Gildessa, restera ouverte dans toute son étendue au commerce des deux nations ainsi que des indigènes.

6. Les deux Gouvernements s'engagent à prendre toutes les mesures nécessaires pour empêcher le Commerce des Esclaves et l'importation de la poudre et des armes dans les territoires soumis à leur autorité.

7. Le Gouvernement de Sa Majesté Britannique s'engage à traiter avec bienveillance les personnes, soit Chefs, soit membres des tribus, placées sous son Protectorat, qui avaient précédemment adopté le Protectorat Français. Réciproquement, le Gouvernement de la République prend le même engagement relativement aux personnes et aux tribus placées désormais sous son Protectorat.

En m'accusant réception de la présente note, je serais reconnaissant à

votre Seigneurie si elle voulait bien constater officiellement l'accord que nous avons conclu au nom de nos Gouvernements respectifs.

Veuillez, &c.
(Signé) WADDINGTON.

(Translation.)

M. le Marquis,

London, February 2, 1888.

THE Government of the French Republic and the Government of Her Britannic Majesty, being desirous of arriving at an agreement with regard to their respective rights in the Gulf of Tadjoura, and on the Somali Coast, I have had the honour to address your Lordship on this subject on several occasions. After a friendly interchange of views, we yesterday agreed on the following arrangement:—

1. The Protectorates exercised, or to be exercised, by France and Great Britain shall be separated by a straight line starting from a point on the coast situated opposite the wells of Hadou, and leading through the said wells to Abassouen; from Abassouen the line shall follow the caravan road as far as Bia-Kabouba, and from this latter point it shall follow the caravan route from Zeyla to Harrar, passing by Gildessa. It is expressly agreed that the use of the wells of Hadou shall be common to both parties.

2. The Government of Her Britannic Majesty recognizes the Protectorate of France over the coasts of the Gulf of Tadjoura, including the group of the Mushah Islands and the Islet of Bab, situated in the gulf, as well as over the inhabitants, tribes, and fractions of tribes situated to the west of the line above mentioned.

The Government of the French Republic recognize the Protectorate of Great Britain over the coast to the east of the above line as far as Bender Ziadeh, as well as over the inhabitants, tribes, and fractions of tribes situated to the east of the same line.

3. The two Governments engage to abstain from any action or intervention, the Government of the Republic to the east of the above line, the Government of Her Britannic Majesty to the west of the same line.

4. The two Governments engage not to endeavour to annex Harrar, nor to place it under their Protectorate. In taking this engagement the two Governments do not renounce the right of opposing attempts on the part of any other Power to acquire or assert any rights over Harrar.

5. It is expressly understood that the caravan route from Zeyla to Harrar, by way of Gildessa, shall remain open throughout its extent to the commerce of the two nations as well as to that of the natives.

6. The two Governments engage to take all necessary measures to prevent the Slave Trade, and the importation of gunpowder and arms in the territories subject to their authority.

7. The Government of Her Britannic Majesty engage to treat with consideration ("bienveillance") those persons, whether Chiefs, or members of the tribes placed under their Protectorate, who had previously adopted the French Protectorate. The Government of the Republic, on their part, take the same engagement with regard to the persons and tribes placed henceforth under their Protectorate.

I shall be grateful if, in acknowledging the receipt of this note, your Lordship will record officially the Agreement which we have concluded in the names of our respective Governments.

Accept, &c.
(Signed) WADDINGTON.

No. 2.

The Marquis of Salisbury to M. Waddington.

M. l'Ambassadeur,

Foreign Office, February 9, 1888.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 2nd instant, reciting the arrangement upon which we have

agreed with regard to the respective rights of Great Britain and France in the Gulf of Tajourra and on the Somali Coast.

The provisions of this arrangement are as follows :—

1. The Protectorates exercised, or to be exercised, by Great Britain and France shall be separated by a straight line starting from a point on the coast opposite to the wells of Hadou, and passing through the said wells to Abassouen; from Abassouen the line shall follow the caravan road as far as Bia-Kabouba, and from this latter point it shall follow the caravan road from Zeyla to Harrar, passing through Gildessa. It is expressly agreed that the use of the wells of Hadou shall be common to both parties.

2. Her Britannic Majesty's Government recognize the Protectorate of France over the coasts of the Gulf of Tajourra, including the group of the Mushah Islands and the Islet of Bab, situated in the gulf, as well as over the inhabitants, tribes, and fractions of tribes situated to the west of the line above mentioned.

The Government of the French Republic recognize the Protectorate of Great Britain over the coast to the east of the above line as far as Bender-Ziadeh, as well as over the inhabitants, tribes, and fractions of tribes situated to the east of the same line.

3. The two Governments pledge themselves to abstain from taking any action or exercising any intervention, the Government of the Republic to the east of the above line, Her Britannic Majesty's Government to the west of the same line.

4. The two Governments engage not to endeavour to annex Harrar, nor to place it under their Protectorate. In taking this engagement, the two Governments do not renounce the right of opposing attempts by any other Power to acquire or assert any rights over Harrar.

5. It is expressly agreed that the caravan road from Zeyla to Harrar, by way of Gildessa, shall remain open in its entire extent to the commerce of the two nations, as well as to that of the natives.

6. The two Governments engage to take all necessary measures to prevent the Slave Trade and the importation of gunpowder and arms in the territories subject to their authority.

7. The Government of Her Britannic Majesty engages to treat with consideration ("bienveillance") those persons, whether Chiefs or members of the tribes placed under their Protectorate, who had previously adopted the French Protectorate. The Government of the Republic, on their part, take the same engagement with regard to the persons and tribes henceforth placed under their Protectorate.

I have the honour to state that the arrangement recited in your Excellency's note, of which the above is a textual translation, is accepted by Her Majesty's Government, and will be considered by them as binding upon the two countries from the present date.

In doing so, I will add, for the sake of record, that I understand the third clause of the Agreement to preclude the granting by either party of protection to natives within the Protectorate of the other party; and that I gathered in conversation that your Excellency concurred with me in that opinion.

I have, &c.
(Signed) SALISBURY.

No. 3.

The Marquis of Salisbury to M. Waddington.

M. l'Ambassadeur,

Foreign Office, February 9, 1888.

WITH reference to the note which I have this day addressed to your Excellency, accepting, on behalf of Her Majesty's Government, the arrangement agreed upon between us respecting the British and French Protectorates in the Gulf of Tajourra and on the Somali Coast, I think it

right to remind your Excellency that I received some months ago a request from the Turkish Ambassador at this Court that in any understanding which might be arrived at on this subject the rights of His Imperial Majesty the Sultan might be respected.

I assured his Excellency, in reply, that the British Government would carefully abstain in the future, as in the past, from any interference with the just rights of the Sultan, and that I was convinced that the Government of the French Republic would act in a similar spirit.

I have, &c.

(Signed) SALISBURY.

AGREEMENT between the Governments of Great
Britain and France with regard to the Somali
Coast, February 1888.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. June 1894.*

FRANCE. No. 2 (1894).

CORRESPONDENCE

RESPECTING THE RECENT

ASSASSINATION

OF THE

PRESIDENT OF THE FRENCH REPUBLIC.

*Presented to both Houses of Parliament by Command of Her Majesty.
August 1894.*

LONDON:

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Correspondence respecting the recent Assassination of
the President of the French Republic.

No. 1.

The Earl of Kimberley to the Marquis of Dufferin.

My Lord,

Foreign Office, July 5, 1894.

THE Queen has received Addresses from both Houses of Parliament conveying to Her Majesty the expression of the deep sorrow and indignation with which they have learned the assassination of the late President of the French Republic, and praying Her Majesty that, in communicating her own sentiments on this deplorable event to the French Government, Her Majesty will also be graciously pleased to express on the part of the Lords and Commons of the United Kingdom their abhorrence of the crime, and their sympathy with the Government of France.

Her Majesty has been pleased to return to both Houses the following gracious answer:—

“I thank you sincerely for your loyal and dutiful Address. I share the deep sorrow and indignation which you have expressed at the assassination of the President of the French Republic. I shall take care to convey to the French Government the abhorrence which, in common with myself, you feel at that detestable crime, and the sympathy which it has called forth for the family of the late President, and also for the Government and people of France.”

The Queen accordingly desires your Excellency to communicate these messages of sympathy to the French Government. They entirely correspond with the sentiments already expressed by Her Majesty, and they are shared by the British nation at large.

I sent your Excellency a telegram to this effect this morning.

I am, &c.

(Signed) KIMBERLEY.

No. 2.

The Marquis of Dufferin to the Earl of Kimberley.—(Received July 9.)

My Lord,

Paris, July 7, 1894.

I HAVE the honour to inclose herewith to your Lordship, extracted from the “Journal Officiel” of this day, an account of the reading in the Senate and the Chamber of Deputies of the Addresses of the Houses of Parliament to the Queen on the occasion of the assassination of the late President Carnot, and of Her Majesty’s reply thereto.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure 1 in No. 2.

Extract from the "Journal Officiel" of July 7, 1894.

M. le Président.—J'ai reçu de M. le Ministre des Affaires Étrangères de nouvelles communications relatives à la mort de M. le Président Carnot; je m'empresse de les porter à la connaissance du Sénat:—

"M. le Président,

"Le Premier Ministre à la Chambre des Lords, le Chancelier de l'Échiquier à la Chambre des Communes, ont proposé, à l'occasion de l'assassinat du Président de la République, une motion conçue en ces termes:—

"La Chambre décide:

"Qu'une humble adresse sera présentée à Sa Majesté pour lui faire parvenir l'expression du profond chagrin et de l'indignation avec lesquels la Chambre a appris l'assassinat du Président de la République Française, et pour demander à Sa Majesté qu'en faisant part de ses propres sentiments à l'occasion de ce déplorable événement au Gouvernement Français, elle daigne en même temps exprimer, au nom de la Chambre, l'horreur que ce crime inspire au Parlement Britannique et la sympathie qu'il éprouve pour le Gouvernement et le peuple Français."

"Le Comte de Rosebery à la Chambre des Lords et Sir W. Harcourt à la Chambre des Communes ont accompagné la présentation de cette motion de paroles empreintes de la plus vive sympathie.

"Le Marquis de Salisbury et M. Balfour, au nom de l'Opposition, M. MacCarthy, pour le parti Irlandais, ont appuyé le projet de Résolution qui, dans les deux Chambres, a été voté à l'unanimité avec les signes de deuil les plus respectueux.

"A la suite du vote de cette Adresse par la Chambre des Lords et la Chambre des Communes, Lord Kimberley a prié le Marquis de Dufferin et Ava, Ambassadeur d'Angleterre à Paris, de faire parvenir au Gouvernement Français la communication suivante:—

"La Reine a reçu des Adresses des deux Chambres du Parlement faisant parvenir à Sa Majesté l'expression du profond chagrin et de l'indignation qu'elles ont éprouvées en apprenant l'assassinat du dernier Président de la République et priant Sa Majesté, en même temps qu'elle communiquera ses propres sentiments au sujet de ce déplorable événement au Gouvernement Français, de vouloir bien exprimer, de la part de la Chambre des Lords et de la Chambre des Communes du Royaume-Uni, l'horreur que leur inspire ce crime et la sympathie qu'elles ressentent pour le Gouvernement et le peuple de France.

"Sa Majesté a bien voulu adresser en retour aux deux Chambres la gracieuse réponse suivante:—

"Je vous remercie sincèrement de votre Adresse dévouée et digne. Je partage la profonde tristesse et l'indignation que vous avez exprimées pour l'assassinat du Président de la République Française. J'aurai soin de faire part au Gouvernement Français de l'horreur que nous avons ressentie ensemble en présence de ce crime détestable et de la sympathie qu'il a provoquée pour la famille du défunt Président ainsi que pour le Gouvernement et le peuple Français."

"Conformément à ce vœu la Reine désire que votre Excellence communique ces messages de sympathie au Gouvernement Français. Ils sont en entière conformité avec les sentiments qui ont déjà été manifestés par Sa Majesté, et la nation Britannique tout entière les partage.—KIMBERLEY."

"Agréez, &c.
(Signé) "HANOTAUX."

(Translation.)

M. le Président.—I have received from the Minister for Foreign Affairs fresh communications respecting the death of President Carnot; I hasten to bring them to the knowledge of the Senate :—

“ *M. le Président,*

“The Prime Minister in the House of Lords, and the Chancellor of the Exchequer in the House of Commons, have proposed, on the occasion of the assassination of the President of the Republic, a motion worded in the following terms :—

““The House resolves :

““That a humble Address be presented to Her Majesty conveying to her the expression of the deep sorrow and indignation with which the House has learned the assassination of the President of the French Republic, and praying Her Majesty that, in communicating her own sentiments on this deplorable event to the French Government, she will be pleased to express, in the name of the House, the horror with which this crime has filled the British Parliament, and the sympathy that it feels for the Government and people of France.”

“The Earl of Rosebery in the House of Lords, and Sir W. Harcourt in the House of Commons, in making this motion, gave expression to their feelings in the most sympathetic terms.

“The Marquis of Salisbury and Mr. Balfour, on behalf of the Opposition, and Mr. McCarthy, for the Irish party, supported the Resolution, which, in both Houses, was adopted unanimously with the most respectful signs of mourning.

“In consequence of the vote of this Address by the House of Lords and the House of Commons, Lord Kimberley desired the Marquis of Dufferin and Ava, British Ambassador at Paris, to make the following communication to the French Government :—

““The Queen has received Addresses from both Houses of Parliament conveying to Her Majesty the expression of profound regret and indignation with which they have learned the assassination of the late President of the Republic, and praying Her Majesty, in conveying her own sentiments on this deplorable event to the French Government, to express, on behalf of the House of Lords and the House of Commons, the horror felt at the crime, and the sympathy which it calls forth for the Government and people of France.

““Her Majesty has been pleased to return to both Houses the following gracious answer :—

“““I thank you sincerely for your loyal and dutiful Address. I share the deep sorrow and indignation which you have expressed at the assassination of the President of the French Republic. I shall take care to convey to the French Government the abhorrence which, in common with myself, you feel at that detestable crime, and the sympathy which it has called forth for the family of the late President, and also for the Government and people of France.”

““The Queen accordingly desires your Excellency to communicate these messages of sympathy to the French Government. They entirely correspond with the sentiments already expressed by Her Majesty, and they are shared by the British nation at large.—KIMBERLEY.”

“Accept, &c.
(Signed) “HANOTAUX.”

Inclosure 2 in No. 2.

Extract from the "Journal Officiel" of July 7, 1894.

M. le Président.—Je viens de recevoir de *M. le Ministre des Affaires Étrangères* les communications suivantes :—

" *M. le Président,*

" *Le Premier Ministre à la Chambre des Lords, le Chancelier de l'Échiquier à la Chambre des Communes, ont proposé, à l'occasion de l'assassinat du Président de la République, une motion conçue en ces termes :—*

" *" La Chambre décide :*

" *" Qu'une humble Adresse sera présentée à Sa Majesté pour lui faire parvenir l'expression du profond chagrin et de l'indignation avec lesquelles la Chambre a appris l'assassinat du Président de la République Française et pour demander à Sa Majesté qu'en faisant part de ses propres sentiments à l'occasion de ce déplorable événement au Gouvernement Français, elle daigne, en même temps, exprimer au nom de la Chambre l'horreur que ce crime inspire au Parlement Britannique et la sympathie qu'il éprouve pour le Gouvernement et le peuple Français." (Vifs applaudissements.)*

" *Le Comte de Rosebery à la Chambre des Lords et Sir W. Harcourt à la Chambre des Communes ont accompagné la présentation de cette motion de paroles empreintes de la plus vive sympathie.*

" *Le Marquis de Salisbury et M. Balfour, au nom de l'Opposition, M. MacCarthy, pour le parti Irlandais, ont appuyé le projet de Résolution, qui, dans les deux Chambres, a été voté à l'unanimité avec les signes de deuil les plus respectueux. (Nouveaux applaudissements.)*

" *A la suite du vote de cette Adresse par la Chambre des Lords et la Chambre des Communes, Lord Kimberley a prié le Marquis de Dufferin et Ava, Ambassadeur d'Angleterre à Paris, de faire parvenir au Gouvernement Français la communication suivante :—*

" *" La Reine a reçu des Adresses des deux Chambres du Parlement faisant parvenir à Sa Majesté l'expression du profond chagrin et de l'indignation qu'elles ont éprouvées en apprenant l'assassinat du dernier Président de la République, et priant Sa Majesté, en même temps qu'elle communiquera ses propres sentiments au sujet de ce déplorable événement au Gouvernement Français, de vouloir bien exprimer, de la part de la Chambre des Lords et de la Chambre des Communes du Royaume-Uni, l'horreur que leur inspire ce crime et la sympathie qu'elles ressentent pour le Gouvernement et le peuple de France. (Très bien ! très bien !)*

" *" Sa Majesté a bien voulu adresser en retour aux deux Chambres la gracieuse réponse qui suit :—*

" *" Je vous remercie sincèrement de votre dévouée et digne Adresse. Je partage la profonde tristesse et l'indignation que vous avez exprimées pour l'assassinat du Président de la République Française. J'aurai soin de faire part au Gouvernement Français de l'horreur que nous avons ressentie ensemble, en présence de ce crime détestable, et de la sympathie qu'il a provoquée pour la famille du défunt Président, ainsi que pour le Gouvernement et le peuple Français." (Applaudissements.)*

" *" Conformément à ce vœu, la Reine désire que votre Excellence communique ces messages de sympathie au Gouvernement Français. Ils sont en entière conformité avec les sentiments qui ont déjà été exprimés par Sa Majesté, et la nation Britannique tout entière les partage.—KIMBERLEY."*

(Applaudissements.)

" Agréez, &c.
(Signé) " HANOTAUX."

Le Président fera parvenir l'expression de la profonde gratitude de la Chambre aux Assemblées qui viennent de s'associer à notre deuil national. (Applaudissements.)

(Translation.)

M. le Président.—I have just received from the Minister for Foreign Affairs the following communications :—

“ *M. le Président,*

“ The Prime Minister in the House of Lords, and the Chancellor of the Exchequer in the House of Commons, have proposed, on the occasion of the assassination of the President of the Republic, a motion worded in the following terms :—

“ The House resolves :

“ That a humble Address be presented to Her Majesty conveying to her the expression of the deep sorrow and indignation with which the House has learned the assassination of the President of the French Republic, and praying Her Majesty that, in communicating her own sentiments on this deplorable event to the French Government, she will be pleased to express, in the name of the House, the horror with which it has filled the British Parliament, and the sympathy that it calls forth for the Government and people of France.” (Loud applause.)

“ The Earl of Rosebery in the House of Lords, and Sir W. Harcourt in the House of Commons, in making this motion, gave expression to their feelings in the most sympathetic terms.

“ The Marquis of Salisbury and Mr. Balfour, on behalf of the Opposition, and Mr. McCarthy, for the Irish party, supported the Resolution, which, in both Houses, was adopted unanimously with the most respectful signs of mourning. (Renewed applause.)

“ In consequence of the vote of this Address by the House of Lords and the House of Commons, Lord Kimberley desired the Marquis of Dufferin and Ava, British Ambassador at Paris, to make the following communication to the French Government :—

“ The Queen has received Addresses from both Houses of Parliament conveying to Her Majesty the expression of profound regret and indignation with which they have learned the assassination of the late President of the Republic, and praying Her Majesty, in conveying her own sentiments on this deplorable event to the French Government, to express, on behalf of the House of Lords and the House of Commons, the horror felt at the crime, and the sympathy that it calls forth for the Government and people of France. (Hear ! hear !)

“ Her Majesty has been pleased to return to both Houses the following gracious answer :—

“ “ I thank you sincerely for your loyal and dutiful Address. I share the deep sorrow and indignation which you have expressed at the assassination of the President of the French Republic. I shall take care to convey to the French Government the abhorrence which, in common with myself, you feel at that detestable crime, and the sympathy which it has called forth for the family of the late President, and also for the Government and people of France.” (Applause.)

“ The Queen accordingly desires your Excellency to communicate these messages of sympathy to the French Government. They entirely correspond with the sentiments already expressed by Her Majesty, and they are shared by the British nation at large.—KIMBERLEY.”

(Applause.)

“ Accept, &c.
(Signed) “ HANOTAUX.”

The President will convey the expression of the profound gratitude of the Chamber to the Assemblies who have just associated themselves with us in our national mourning. (Applause.)

No. 3.

Mr. Phipps to the Earl of Kimberley.—(Received July 25.)

My Lord,

Paris, July 24, 1894.

WITH reference to your Lordship's despatch of the 15th instant, I have the honour to forward herewith copy of a note which I have received from the French Minister for Foreign Affairs, expressing, on behalf of the members of the Senate and Chamber of Deputies, their thanks for the message of condolence transmitted to the French Government by the two Houses of Parliament on the occasion of the assassination of the President Carnot.

I have, &c.

(Signed) E. C. H. PHIPPS.

Inclosure 1 in No. 3.

M. Hanotaux to the Marquis of Dufferin.

M. l'Ambassadeur,

Paris, le 16 Juillet, 1894.

CONFORMÉMENT au désir que votre Excellence a bien voulu m'exprimer par sa lettre du 5 Juillet dernier, je n'ai pas manqué de transmettre à MM. les Présidents du Sénat et de la Chambre des Députés le message de condoléance qui était adressé au Gouvernement de la République par les deux Chambres du Parlement Britannique avec l'assentiment de Sa Majesté la Reine.

MM. les Sénateurs et MM. les Députés ont été très sensibles à ce haut témoignage de sympathie, et ils ont formulé le vœu que leurs remerciements fussent transmis par voie diplomatique à Sa Majesté et aux Membres du Parlement.

Votre Excellence trouvera ci-annexé un extrait du procès-verbal de la séance du Sénat du 6 Juillet, et je lui serais très reconnaissant de vouloir bien faire parvenir cette pièce à ses hauts destinataires.

Agrérez, &c.

(Signé) G. HANOTAUX.

(Translation.)

M. l'Ambassadeur,

Paris, July 16, 1894.

IN conformity with the desire which your Excellency was good enough to express to me in your note of the 5th July last, I have not failed to transmit to the Presidents of the Senate and of the Chamber of Deputies the message of condolence which was addressed to the Government of the Republic by both Houses of the British Parliament, with the assent of Her Majesty the Queen.

The Senators and Deputies have been very sensible of this high proof of sympathy, and they have expressed the wish that their thanks may be transmitted, through the diplomatic channel, to Her Majesty and to the Members of Parliament.

Your Excellency will find annexed an extract from the *procès-verbal* of the sitting of the Senate on the 6th July, and I should be grateful to you if you will convey this document to its high destination.

Accept, &c.

(Signed) G. HANOTAUX.

Inclosure 2 in No. 3.

SÉNAT.—SESSION 1894.

Extrait du Procès-Verbal de la Séance du Vendredi, 6 Juillet, 1894.

Présidence de M. CHALLEMEL-LACOUR.

M. LE Président communique au Sénat une lettre de M. le Ministre des Affaires Étrangères, contenant une Adresse de la Chambre des Lords et une de la Chambre des Communes, ainsi que la réponse de Sa Majesté la Reine du Royaume-Uni de Grande-Bretagne et d'Irlande, au sujet de la mort de M. le Président Carnot.

M. le Président ajoute :—

“Je prierai M. le Ministre des Affaires Étrangères de vouloir bien faire parvenir par la voie diplomatique aux auteurs de ces dépêches l'expression des sentiments de gratitude qui sont inspirés au Sénat par ces témoignages.”
(Vifs applaudissements.)

* * * * *

(Translation.)

THE SENATE.—SESSION 1894.

Extract from the “Procès-Verbal” of the Sitting of Friday, July 6, 1894.

Under the Presidency of M. CHALLEMEL-LACOUR.

THE President communicates a letter from the Minister of Foreign Affairs, containing Addresses from the House of Lords and from the House of Commons, as well as the reply of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, respecting the death of President Carnot.

The President adds :—

“I shall beg the Minister of Foreign Affairs to be good enough to convey, through the diplomatic channel, to the authors of these messages, the expression of the sentiments of gratitude with which these proofs of sympathy have filled the Senate.” (Loud applause.)

* * * * *

CORRESPONDENCE respecting the recent Assassination of the President of the French Republic.

*Presented to both Houses of Parliament by Command
of Her Majesty, August 1894.*

LONDON :

PRINTED BY HARRISON AND SONS.

TREATY
OF
COMMERCE AND NAVIGATION
BETWEEN
GERMANY AND RUSSIA.

Signed at Berlin, January 29 (February 10), 1894.

*Presented to both Houses of Parliament by Command of Her Majesty.
May 1894.*

LONDON:
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90, WEST NILE STREET, GLASGOW; OR

HODGES, FIGGIS, AND Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

TREATY of Commerce and Navigation between Germany and Russia.

Signed at Berlin, January 29 (February 10), 1894.

[*Ratifications exchanged March 20, 1894.*]

(Came into operation, March 20, 1894.)

(Translation.)

HIS Majesty the Emperor of Russia, on the one part, and His Majesty the German Emperor, King of Prussia, in the name of the German Empire, on the other part, wishing to develop commercial relations between Russia and Germany, have resolved to conclude a Treaty of Commerce and Navigation between the two countries, and have for that purpose named as their Plenipotentiaries:

His Majesty the Emperor of Russia, Count Paul Schouvaloff, his General Aide-de-camp, Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of Germany, King of Prussia; and M. Basil Timiriaseff, his Actual Privy Councillor of State, Vice-Director of the Department for Commerce and Manufactures in the Ministry of Finance; and

His Majesty the German Emperor, King of Prussia, Leo Count Caprivi, his Imperial Chancellor, Minister of State and for Foreign Affairs in Prussia; and Max Baron de Thielmann, his Envoy Extraordinary and Minister Plenipotentiary at Hamburg;

Who, having communicated to each other their Full Powers, found in good and due form, have agreed on the following Articles:—

ARTICLE I.

The subjects (“ressortissants”) of one of the Contracting Parties established in the territory of the other party, or residing there temporarily, shall there enjoy, as regards the exercise of commerce and industry, the same rights as, and shall be subject to no higher or other duties than, national subjects. They shall enjoy in all respects in the territory of the other Party the same rights, privileges, immunities, favours, and exemptions as the subjects of the most favoured nation.

It is understood, however, that the above stipulations in no way prejudice the special Laws, Ordinances, and Regulations respecting commerce and police which are or may be in force in either of the two contracting countries, and which are applicable to all foreigners.

ARTICLE II.

The subjects (“ressortissants”) of each of the two Contracting Parties shall have in the territory of the other the right of acquiring and possessing all such kinds of real and personal property as the laws of the country allow, or may allow, the subjects of any foreign Power to acquire and possess. They may dispose of it by sale, exchange, gift, marriage, testament, or otherwise, and acquire it by inheritance on the same conditions as are established for the subjects of any other foreign Power, without being subject in any of the cases mentioned to any dues, taxes, or charges, under whatsoever name, other or higher than those established for national subjects.

They may likewise, so long as they abide by the law of the country, freely export the produce of the sale of their property and their goods generally, without being subject as foreigners to other or higher duties than those which national subjects would have to pay in similar circumstances.

They shall have the right, as long as they abide by the laws of the country, to appear in Courts of Justice either to bring an action or to defend themselves, and they shall in this respect enjoy the same rights and immunities as national subjects, and like these latter they shall have the right to employ in all cases the lawyers, attorneys, and agents of all classes allowed by the laws of the country.

ARTICLE III.

The subjects ("ressortissants") of each of the Contracting Parties shall in the territory of the other be exempt from all obligatory official duties, whether judicial, administrative, or municipal, excepting only that of guardianship; from all personal service in the army, navy, land or naval reserve, and national guard, and from all forced military taxes, loans, requisitions, and services in kind of all sorts which may be imposed during war or owing to extraordinary circumstances; but an exception is nevertheless made in the case of charges incumbent on the possession, by whatsoever title, of real property, as well as in the case of obligatory military billets and other special services in kind for military purposes, to which national subjects and the subjects of the most favoured nation are liable in so far as they own, farm, or rent real property.

ARTICLE IV.

Companies having their capital divided by shares ("anonymes"), and other commercial, industrial, or financial Associations domiciled in one of the two countries, shall, provided they have been validly constituted in such country in conformity with the laws in force, be recognized as having a legal existence in the other country, and they shall, in particular, have in that country the right to invoke justice in the Courts of Law, whether for the purpose of bringing actions or for the purpose of defending themselves.

It is, however, understood that the preceding stipulation does not affect the question whether such a Company, constituted in one of the two countries, shall or shall not be admitted to the other country for the purpose of there carrying on its commerce or its industry; such admission shall in all cases remain subject to the provisions which exist or may exist respecting this question in the latter country.

In any case, the said Companies and Associations shall have in the other country the same rights as those which are or may be granted to similar Companies of any other country.

ARTICLE V.

The Contracting Parties engage not to hinder reciprocal commerce between the two countries by any prohibitions of importation or exportation, and to allow free transit, except over routes which are not or may not be open to transit trade.

Exception may only be made in regard to articles which are or may be, in the territory of the one or of the other of the Contracting Parties, the subject of a State monopoly, and to certain articles which, for reasons of hygiene, of veterinary police, and of public safety, or for other considerations of great weight, may be the subject of exceptional measures of prohibition.

ARTICLE VI.

The produce of the soil and industry of Russia when imported into Germany, and the produce of the soil and industry of Germany when imported into Russia, and intended either for consumption, for warehousing, for re-exportation, or for transit, shall be subject to the same treatment, and shall not be subject to duties higher or other than the produce of the nation most favoured in these respects. In particular, every favour, every immunity, and every reduction of the import duties of the General or Conventional Tariffs, which one of the Contracting Parties may grant to a third Power, permanently or temporarily, shall immediately and unconditionally be extended to the produce of the soil and industry of the other.

ARTICLE VII.

The articles, produce of the soil and industry of Germany, enumerated in 'Tariff (A) annexed to the present Treaty, shall not, on importation into Russia, and the

articles, produce of the soil and industry of Russia, enumerated in Tariff (B) annexed to the present Treaty, shall not, on importation into Germany, be subject to import duties other or higher than those established by the said Tariffs.

Should one of the Contracting Parties establish a new internal tax or excise levied for the benefit of the State, or an addition to such an internal tax or excise, on any article of native production or manufacture coming under Tariff (A) or Tariff (B) annexed to the present Treaty, the same article may, on importation, be subjected to an equal or corresponding duty, but on condition that the said duty be the same for goods from all countries.

ARTICLE VIII.

The internal taxes, levied for the benefit of the State, of Communes, or of Corporations, on the production, manufacture, or consumption of an article in the territory of one of the Contracting Parties, shall not under any pretext fall more heavily or more inconveniently on the produce of the other party than on the like articles of home production.

ARTICLE IX.

No other or higher export duties shall be levied on produce exported from one of two countries to the other than those levied on the exportation of the same produce to the country the most favoured in that respect. Likewise every other favour granted by one of the Contracting Parties to a third Power in regard to exportation shall immediately and unconditionally be extended to the other.

ARTICLE X.

Merchandise of all descriptions crossing the territory of one of the two countries by a commercial route open to transit shall be reciprocally exempt from all transit dues, whether it pass direct or whether it be unloaded, deposited, and reloaded during transit.

ARTICLE XI.

The following favours are not to be considered as infringing the provisions of the present Treaty:—

1. Favours now granted or which may hereafter be granted to frontier States to facilitate the frontier traffic of a frontier zone up to 15 kilom. in width;

2. Favours granted by Germany, under the existing Customs Union, to the Grand Duchy of Luxemburg and to the Austrian Communes of Jungholz and Mittelberg, to which places the provisions of the present Treaty shall apply;

3. Favours now granted or which may hereafter be granted in respect to importation or exportation to the inhabitants of the Government of Archangel, or on the northern and eastern coasts of Asiatic Russia (Siberia).

It is further understood that the provisions of Articles VI, IX, and X of the present Treaty do not apply to the special stipulations contained in the Treaty concluded between Russia and Sweden and Norway on the 26th April (5th May), 1838, nor to those which relate or may relate to trade with frontier States and countries in Asia, and that the stipulations in question may not in any case be invoked with the view of altering the commercial and navigation relations established by the present Treaty between the Contracting Parties.

ARTICLE XII.

Merchants, manufacturers, and other traders proving, by the possession of a licence card issued by the authorities of their country, that they are authorized to carry on a trade in the State where they are domiciled, may, either personally or through commercial travellers in their service, make purchases, and may, as well by carrying samples with them as not, seek orders in the territory of the other Contracting Party. The said merchants, manufacturers, and other traders or commercial travellers shall, in the two countries respectively, be treated, in regard to passports and the payment of taxes on the exercise of trade, on the footing of the most favoured nation.

Traders (commercial travellers) furnished with a licence card may carry samples, but not merchandize. Articles liable to customs duties, imported as samples by the said

travellers, shall on both sides be admitted free of import and of export duties, provided the articles in question, if not sold, be re-exported within a period fixed beforehand, and provided the identity of the objects imported and re-exported be not doubtful, and this irrespective of the custom-house through which they leave the country.

The re-exportation of samples shall in both countries be guaranteed either by the deposit of the customs duty or by furnishing security.

Each of the Contracting Parties shall give to the other information as to the authorities charged with the issue of licence cards, as to the form of these licence cards, and as to the provisions to which travellers must submit while following their calling.

The subjects ("ressortissants") of either of the Contracting Parties proceeding to fairs or markets in the territories of the other, in order to follow their calling, or to offer their goods for sale, shall be treated like national subjects, and shall not be subject to higher taxes than those levied on national subjects.

ARTICLE XIII.

German ships and their cargoes shall be treated in Russia, and Russian ships and their cargoes shall be treated in Germany, absolutely on the footing of national ships and their cargoes, whatsoever be the country of departure, or the destination of the ships, and whatever be the origin or destination of their cargoes.

Every privilege and freedom granted in this respect to a third Power by one of the Contracting Parties shall immediately and unconditionally be granted to the other.

Exceptions are made to the above provisions so far as regards—

(a.) The particular advantages which the national fisheries and their produce enjoy, or may enjoy, in either country.

(b.) The favours now granted, or which may hereafter be granted, to the national merchant navy.

The provisions of the present Treaty do not apply to the coasting trade, which shall continue to be governed by the laws which are or may be in force in each of the two countries. Nevertheless, Russian and German ships may go from a port of one of the two contracting countries to one or more ports of the same country, either to discharge the whole or part of cargoes coming from abroad, or to take or to complete cargoes for abroad.

ARTICLE XIV.

The nationality of ships shall be recognized, on both sides, in accordance with the regulations of each country, from the papers and documents to be found on board and issued by the proper authorities.

Tonnage measurement certificates issued by one of the Contracting Parties shall be recognized by the other, in accordance with the special arrangements concluded or to be concluded between the two Contracting Parties.

ARTICLE XV.

German ships entering a Russian port, and, reciprocally, Russian ships entering a German port, which so enter only to complete their cargo or to discharge a part of their cargo, may, if they conform to the laws and regulations of the two countries respectively, keep on board that part of their cargo which is intended for another port either of the same country or of another, and re-export it, without having to pay for the last-mentioned part of their cargo any customs duties other than those payable for guarding, but these shall not be levied at any rate higher than the rate fixed for national ships.

ARTICLE XVI.

The following ships shall in either country be wholly exempt from tonnage and clearance charges:—

1. Ships which, entering in ballast from any place whatsoever, leave again in ballast.

2. Ships which, passing from a port in one of the two countries to one or more

ports in the same country, can show that they have already paid these charges in another port of the same country.

3. Ships which, having entered a port in cargo, either voluntarily or under stress, leave it without having carried out any commercial operation.

This exemption shall not extend to light, pilotage, towing, quarantine, or other dues which are payable on the vessel for services rendered or apparatus used, and which are established in the interest of traffic, and which are equally payable by native ships and by those belonging to the most favoured nation.

In cases of entry under stress, the following shall not be considered as commercial operations: unloading and reloading of merchandize in order to repair the ship, transfer to another ship on account of the first ship ceasing to be navigable, expenses necessary for re-equipment of the crew and the sale of damaged goods when authorized by the Customs authorities.

ARTICLE XVII.

Should a ship of one of the Contracting Parties be disabled or be wrecked on the coast of the other, such ship shall enjoy, both as regards vessel and cargo, all the favours and immunities which the laws of each of the countries grant respectively to its own ships in similar circumstances. All aid and assistance shall be given to the master and to the crew as regards their persons, the ship, and its cargo.

The Contracting Parties agree that merchandize salvaged shall not be subject to the payment of any customs duty, unless intended for consumption.

ARTICLE XVIII.

The subjects ("ressortissants") of each of the Contracting Parties shall reciprocally have a right to use, on the same conditions and on payment of the same dues as national subjects, the roads and ways, canals, locks, ferries, bridges and openings in bridges, ports and landing-quays, buoyed and lighted waterways and channels, pilot service, cranes, scales and weighing-machines, warehouses, establishments and institutions for the salving and safe keeping of ships' cargoes, and other establishments and institutions of the same kind, in so far as intended for the public service and for the use of trade generally, whether administered by the State or by private persons authorized thereto by the State.

The dues shall only be levied for the actual and effective use of the services named, excepting, however, the provisions to the contrary allowed in the case of pilotage and sea lights.

ARTICLE XIX.

The two Contracting Parties reserve power to regulate, each on their own account, the transport rates of their railways.

But no difference shall be made, either as regards cost of transport or as regards duration and manner of transport, between the inhabitants of territories of the Contracting Parties. In particular, consignments of merchandize coming from Russia, and addressed to a German station or passing in transit through Germany, shall not be liable on the German railways to higher rates than those charged between the same German stations on similar German or foreign merchandize travelling in the same direction. The same principle shall be observed on Russian railways as regards consignments coming from Germany and addressed to a Russian station or passing in transit through Russia. Exceptions may only be made in the case of reduced rates allowed in the public interest or for charitable purposes.

ARTICLE XX.

The present Treaty shall come into force on the 8th (20th) March, 1894, or earlier if possible, and shall remain in force until the 18th (31st) December, 1903.

In case neither of the Contracting Parties shall, twelve months before that date, have announced its intention of terminating the Treaty, the Treaty shall remain in force until the expiration of one year from the day on which one or other of the Contracting Parties shall have given notice to terminate it.

ARTICLE XXI.

The present Treaty shall be ratified and the ratifications shall be exchanged at Berlin as soon as possible.

In faith whereof the respective Plenipotentiaries have signed it and sealed it with their arms.

Done at Berlin, the 29th January (10th February), 1894.

FINAL PROTOCOL.

At the time of proceeding to the signature of the Treaty of Commerce and Navigation concluded this day at Berlin between Russia and Germany, the Undersigned have agreed to the following:—

Part I.—*Referring to the Text of the Treaty.*

To Articles I and XII.

As regards passports, the subjects of the two Contracting Parties shall receive most-favoured-nation treatment.

To Articles V, VI, VII, IX, and X.

Certain goods being now subject in Russia to higher duties on entering by the land frontier than by the Baltic Sea, it has been agreed that on the day that this present Treaty comes into force the import duties on entry by the land frontier shall be reduced to those on entry by the Baltic Sea, and that no new differential duty favouring importations by the maritime frontier of the Baltic Sea, the Black Sea, and the Sea of Azov (with the exception of the Caucasian littoral) shall be established.

The German Government on their side undertake not to levy on any of the frontiers of the German Empire other or more favourable customs duties than those levied on the Russian frontier. Exception is, however, made for salt, for sawn blocks and rough worked building stone and rough slates (Articles 25 (*t*), 33 (*d*), and 33 (*e*) of the German Customs Tariff), for which goods Germany reserves the right to maintain the existing differences between the duties levied on entry by sea and those levied on entry by land.

To Articles VI, VII, and XI.

The produce of the soil or industry of a third Power, passing in transit through the territory of one of the Contracting Parties, shall not, on entering that of the other, pay other or higher duties than would have been paid on the same goods had they been imported direct from their country of origin.

To Articles VI to IX.

As regards the payment of duties, the Imperial Russian Government declare their willingness to accept at the Customs, German gold money at the rate of 1,000 marks gold as equivalent to 308 roubles gold.

To Articles VI and VII.

The Contracting Parties reserve to themselves the right of demanding certificates of origin proving production or manufacture in one of the two countries of the goods imported into the other. Each of the two Parties will respectively take steps to insure that the demand of these certificates shall constitute the least possible hindrance to commerce.

To Article XIII.

The Contracting Parties reserve to themselves the right of coming to a special arrangement for regulating navigation on the Niemen, the Vistula, and the Warta.

To Article XIX.

The Contracting Parties will assist each other in every possible way with regard to railway tariffs, especially by establishing tariffs for direct communication. These direct tariffs shall be specially established for the German ports of Dantzic (Neufahrwasser), Königsberg (Pillau), and of Memel as regards exportations from, as well as importations into, Russia, according to the requirements of commerce.

At the same time, the rates of transport chargeable on goods which in the tariff of the Russian railways are classed under the category of cereals, and on flax and hemp, from the stations of departure of the Russian railways to the above-mentioned German ports, shall be calculated and divided between the Russian and German railways over which the goods are transported, according to the regulations which are or shall be in force for the Russian railways to the ports of Libau and Riga. The supplementary charges (accessory expenses) levied in excess of the rates of transport shall also be settled and the amount divided amongst the lines concerned according to the Russian regulations, it being understood that one frontier charge only shall be levied, which shall be divided equally between the German and Russian railways terminating at the frontier.

This obligation only concerns the State railways in both countries; but the two Governments will endeavour to induce private railways to apply on their lines the same principles for the establishment of the rates and the division of the proceeds. If the private lines which carry in one of the directions indicated do not nevertheless submit to the rates and division above mentioned, these regulations shall cease to be obligatory on the State railways of the two Contracting Parties.

The existing provisions in force for regulating competitive traffic between Königsberg and Dantzic shall remain in force.

To Article XX.

The denunciation of the Consular Convention of the 8th December (26th November), 1874, in force between the two Contracting Parties, may not take place before that of the present Treaty.

Part II.—*Relative to the Russian Conventional Tariff.*

To Article 5, § 3.

The denomination of dried chicory applies to chicory dried by whatever process.

To Article 55.

Large skins, including those artificially grained, pay the duties specified in § 3 of Article 55.

To Article 72, § 2.

Furnace mortar (fire-proof cement), *i.e.*, a mixture of raw fire-clay with burnt fire-clay, ground together, pays duty under § 2 of Article 72.

To Article 79, § 1.

Import duties fixed in § 1 of the present Article for pit-coal, and peat and wood charcoal, as well as for peat imported by the eastern land frontier, may be increased from the 1st January (o.s.), 1898, as long as the rates of duty remain the same for the eastern land frontier and for the ports of the Baltic Sea.

To Article 112.

Under the head of chemical and pharmaceutical products not specially named are comprised such products when not specially named in the General Russian Tariff of the 11th June, 1891.

To Article 131.

Whites of lead and zinc mixed with other substances pay the duties specified in Article 131, if the said substances are not subjected to higher duties than those on white lead.

To Articles 140 and 142.

Iron and steel in sheets or plates pay the duties of §§ 3 and 4 of Articles 140 and 142 mentioned in the said sections, whatever the shape to which those sheets or plates are cut.

To Article 141.

Common or non-precious metals mentioned in the Russian Tariff comprise all metals except gold, silver, and platinum. Aluminium is considered as a common metal unless it is specially named in Articles of the Russian Tariff under which the rates of duty are higher.

To Articles 141, 147, 154, 155, 156, and 163.

Iron, steel, and zinc (as well as manufactures of iron, steel, or zinc), by whatever process they may be covered with common metals (by galvanizing, by a coating of melted metal, by rolling or other process), pay without increase the duties respectively specified for iron, steel, and zinc, and manufactures of iron, steel, and zinc, if the coating of metal does not increase the total weight of each article by more than 25 per cent. for goods under the heading of Articles 141, 147, 154, 155, and 156, and by more than 10 per cent. for goods under Article 163.

To Article 150.

The duties charged under § 1 of the present Article shall be applicable to cast iron pipes coated with tar or asphalt, not worked in any manner, unless the work consist in retouching the traces left on the metal after removing the burrs, runners, or ridges.

To Article 152.

Iron and steel pipes manufactured by the Mannesmann process, including those coated with asphalt and textile substances (common and in the raw), shall pay the duties of this Article.

To Article 153.

All iron work and iron and steel decorations used for building and for furniture shall pay the duties of the respective sections of Article 153, unless they are specially named in Articles of the Russian Tariff for which the rate of duties is higher. Nickeling shall not be considered as a sufficient cause for applying higher duties to these kinds of goods.

To Article 154, § 1.

Vessels in enamelled iron varnished and coated with paint pay the duty fixed by § 1 of this Article, even if the edges and handles are coloured differently to the bottom.

To Article 155, § 2.

The heading of electric cables includes metallic conductors covered with insulating materials (india-rubber, gutta-percha, vegetable or animal fibrous materials, paper, even if these materials are soaked in other substances), and provided with a protecting covering of common materials such as hemp or other fibrous or metallic material (lead, iron, steel, &c.). Such metallic covering may likewise be surrounded with a band or yarn of tarred hemp, jute, &c.

To Article 156, § 2 (b).

Brass wire ("fil d'archal") plated with tin or zinc, covered with textile materials or gutta-percha, shall pay the duties stated in this paragraph. What is stated at §§ 1 (a) and 2 (b) as to gutta-percha applies also to india-rubber.

To Article 158.

Knives and forks with handles of common materials shall pay the duties of § 1 of this Article.

To Article 160.

Forks of all kinds, such as, for example, forks for digging beet-root and dung, &c., shall pay the duties of this Article.

To Article 161.

Wooden parts of tools, when imported separate from the metallic parts, shall pay the duties of the respective §§ of Article 61.

To Article 167, § 2.

By dynamo-electric machines must be understood machines and apparatus employed—

1. To convert motive force into electricity, or electricity into motive force ;
2. To convert electric current of high tension into current of low tension, or *vice versâ* (transformers) ; and
3. To convert continuous electric current into alternating or polyphased (rotating) current, or *vice versâ*.

Mechanical diggers, metal fire-escape ladders, and electric accumulators of all kinds, as well as their accessories, shall pay the duties of this section.

To Article 169.

Accessories employed for signals and for transmission of motive force, including interruptors, circuit-cutters, commutators, &c., shall pay the duties of this Article under the category of implements and accessories for electric light.

To Article 177, § 3.

For collars, cuffs, paper shirt-fronts, stamping in imitation of sewing is not considered as sewing.

To Article 183.—Note.

Cords for spinning-frames, called “renvideurs,” or self-acting, shall pay the duties according to this note.

To Article 186.

Bleached wool is subject to the duties of undyed wool.

To Article 191.

Jute and canvas sacks after having been employed for the exportation of Russian cereals of any kind shall be exempt from duties on their reimportation.

To Article 192, § 3.

Tablecloths, napkins, and towels pay the duties of § 3 of this Article, even if ornamented with a hem half-an-inch wide at the most, and with a fringe not sewn on to the tissue, but formed only by the prolongation of the threads forming the tissue.

To Article 202.

Machinery bands of camels' hair, filter-bags, and cloths pay the duties of this Article.

To Article 205.

Knitted work and trimming (“*passementerie*”), made by hand or on a frame, machine finished or cut, including those carded or plush-like, showing sewing or not, shall pay the duties fixed in the corresponding §§ of the present Article. Goods knitted in cotton, flax, or wool may have an ornamentation without being subject thereby to a higher duty, as long as there is no silk in such ornamentation.

All kinds of knitted garments come under Article 205.

Knitted work and trimming (“*passementerie*”), silk, half-silk, and mixed with silk, shall pay duties according to the following classification :—

Work in silk shall be considered as such which is covered with silk in the proportion of 50 to 100 per cent. of the total surface, front and back ; and those as work in half-silk, which are covered with silk in the proportion of 20 to 50 per cent. of the said total surface ; and, finally, as work mixed with silk those covered with silk in a proportion less than 20 per cent. of the said total.

To Article 212.

The duties of this Article shall be charged inclusively of the weight of the cards on which the buttons are fixed.

To Article 216.

Slates, including those in frames of ordinary wood, ruled or not, come under Note 2 of this Article.

To Article 218.

Samples of tissues and of work of all kinds not having the form and character of merchandize shall come under the provisions of the present Article, even in the case where they are fixed on cards or bound in wrappers or volumes.

To Article 220 (b).

Dynamite cartridges shall pay these duties, including only the weight of their actual packing.

Part III.—*Relative to the German Conventional Tariff.*

To No. 29 (a).

Petroleum and other mineral oils for lighting, refined, not otherwise denominated, may pay duty, at the choice of the importer, either by weight per 100 kilog., or by volume per 25 litres, equalling at 15 degrees centigrade 100 kilog. net.

Part IV.—*Relative to the Customs Regulations.*

§ 1.

In order to facilitate commercial relations between the two Empires across the land frontier, the Imperial Russian Government will raise the rank of certain customs stations, and will establish new ones at places that are now without them, on condition that the corresponding German stations be furnished with corresponding powers, namely:—

(a.) The second class stations of Praszka and Gerby, and the third class stations of Krottingen and of Slupcy, shall be raised to first class customs stations.

(b.) The barrier customs stations of Modrzejewo and of Piotrkow, and the transit station of Osiek, shall become third class customs stations.

(c.) The transit stations of Wilczyn, Gniazdow, Gola, Czeladz, Sluziew (Rosno), Podlenka, and Tworki shall become barrier customs stations.

(d.) Barrier customs stations shall be established at Karw and at Zakrzewo, and transit stations at Grosciencyk, Rakowka, Upidamisch, Bakalarzewo, and Czarnowka.

(e.) The barrier customs stations of Wilczyn to be established in place of the transit station of the same name shall have power to clear salt.

(f.) The transit station of Degoutzky shall be authorized to allow German wheat to be ground at the water-mill situated in Russian territory, and to allow the resulting flour to be re-exported.

§ 2.

Authority to clear German goods in transit over Russian territory shall be granted to the first class Russian custom-houses adjoining the German first class custom-houses ("Hauptzollaempfer"), namely:—

Tauroggen ..	..	..	..	..	..	Adjoining Tilsit,
Wirballen ..	..	..	..	..	..	" Eydtkühhnen,
Graewo ..	..	..	..	..	..	" Prostken,
Alexandrowo ..	..	..	..	..	..	" } Thorn,
Neschawa ..	..	..	..	..	..	" }
Szipiorno ..	..	..	..	..	..	" Skalmierzyce,

provided the consignments be subject to the Russian regulations respecting similar traffic by land and by river, which regulations will be published when sanctioned.

It is understood that authority to clear Russian merchandize in transit over German territory will continue to be granted to the above-mentioned German custom-houses.

§ 3.

Authority to forward merchandize under Customs control to other custom-houses shall be granted by both parties to all first class custom-houses not in communication

by rail with custom-houses provided with bonded warehouses, provided the consignments be subject to the laws and regulations on the subject.

§ 4.

Authority shall be granted to re-export merchandize on which customs duties have not yet been paid—provided the same authority be granted to German custom-houses—to the following custom-houses, besides being granted to custom-houses on railways and in ports :—

Tauroggen.
Georgenburg.
Neschawa.

Szipiorno.
Weruschewo.

§ 5.

It is agreed on both sides that the custom-houses of both countries shall be open every day of the year, except Sundays and on the following festivals :—

(A.) In Russia :

I. *Festivals of the Imperial Family*—

Anniversaries of the birth and name-days of their Imperial Majesties and of His Imperial Highness the Hereditary Grand Duke, the anniversaries of the Accession and of the Coronation.

II. *Movable Feasts*—

Friday and Saturday in Carnival Week ; Thursday, Friday, and Saturday in Holy Week ; Easter Monday and Tuesday ; Ascension ; and Whit Monday.

III. *Fixed Feasts*—

January	1.	(New Year.)
"	6.	(Epiphany.)
February	2.	(Candlemas.)
March	25.	(Annunciation.)
May	9.	(St. Nicholas.)
June	29.	(St. Peter and St. Paul.)
August	6.	(Transfiguration.)
"	15.	(Assumption.)
"	29.	(Beheading of St. John the Baptist.)
September	8.	(Nativity of the Blessed Virgin.)
"	14.	(Exaltation of the Cross.)
"	26.	(St. John.)
October	1.	(Pokrow of the Blessed Virgin.)
"	22.	(Our Lady of Kazan.)
November	21.	(Presentation of the Blessed Virgin.)
December	6.	(St. Nicholas.)
"	25, 26, and 27.	(Christmas.)

IV. In the Kingdom of Poland, and in some frontier Governments where the majority of the population is Catholic, work shall also be suspended on the first days of the great festivals of the Roman Catholic Calendar, and also on Corpus Christi and on All Hallows.

(B.) In Germany :

New Year, national fasts and prayers ("Buss- und Betttag"), Wednesday before the last Sunday in November, Good Friday, Ascension, Easter Monday, Whit Monday, two days of Christmas, and the anniversary of the birthday of His Majesty the Emperor of Germany, King of Prussia.

§ 6.

A statement of office hours shall be exhibited in the custom-houses of both countries.

Office hours for the examination of passports and of commercial travellers' licences shall be fixed in each district, and at each frontier station, by agreement between the proper authorities of the two countries, who shall arrange similar hours on both sides

of the frontier; and shall bear in mind local requirements, and, in the case of third-class customs-house, barrier custom-houses, and transit stations, shall allow a suspension of work for the officials' meals.

§ 7.

Articles subject to duty, and imported by persons in possession of regular papers authorizing them to cross the frontier, may, on both sides of the frontier, form the subject of a verbal declaration at all custom-houses, in so far as such custom-houses have authority to receive these declarations, provided the articles be not imported with a commercial object, and that the sum of the duties to be collected on importation do not exceed in Russia 3 roubles gold, and in Germany 9 marks.

Transit stations may, in virtue of this authorization, clear articles of consumption, except brandy and other alcoholic liquors, as well as goods intended exclusively for domestic consumption.

§ 8.

Free entry shall be allowed on both sides to the provisions of workmen who cross the frontier daily, excepting brandy and other alcoholic liquors, tea, sugar, and wine; the quantity imported may not exceed for each person what he will require for the day.

§ 9.

Passengers on board the Memel (Niemen) steamers shall pass the customs examination of both countries on board, provided their luggage be got ready beforehand on deck, or in some other appointed place.

§ 10.

At Russian land frontier stations, the presentation of the way-bill by the driver shall be considered equivalent to a declaration, provided a statement of the whole consignment appear on one of the way-bills, that is, provided such way-bill shows the number of way-bills and of parcels forming the consignments.

§ 11.

Coal imported into Russia in carts shall be cleared according to the weight shown in the way-bills if there be annexed to them the weight certificate issued at the mine.

§ 12.

Flowers and live plants, fresh fruits and other perishable merchandize, shall be cleared in both countries within twenty-four hours from the moment of their arrival in the customs warehouses, allowing, however, for cases of *vis major*.

§ 13.

Warehouse dues for imported merchandize shall be levied by the Russian custom-houses according to the actual number of days that the goods may be in the warehouses, reckoned from the day on which the customs examination began.

Nevertheless, the allowance of free warehousing shall be limited by the period allowed at each custom-house for making a declaration of the merchandize imported, namely, five to fourteen days.

§ 14.

Articles XV and XVI of the International Convention of Berne of the 14th October, 1890, having decided that the consignor has the right to dispose of the consignment, the Imperial Government of Russia declares that no alteration shall be made in these provisions of the Convention of Berne while the present Treaty is in force.

§ 15.

The system of fines imposed for inexact declarations of goods imported, now in force in Russia, shall be revised and simplified.

Fines imposed for unintentional mistakes shall be reduced, and the authority of the different custom-houses to reduce or remit such fines shall be extended. Until such time as this reform, which must be submitted to the approval of the Legislative Authority, can be carried out, the Imperial Government of Russia, in view of the wishes expressed by the Imperial Government of Germany, thinks it can as a provisional

measure reduce the so-called "droits d'accidence," now levied in most cases at the rate of 10 per cent., to 5 per cent. in all cases of incomplete declarations.

§ 16.

The right to petition against decisions of Russian custom-houses, both respecting inaccurate or false declarations, and respecting the Tariff classification of goods, shall be extended to the consignor on the same terms as to the person making the declaration.

Petitions of this kind may be prepared by the consignor in German.

§ 17.

The period allowed for petitions on matters coming under § 16 shall be fixed at three weeks, both for the consignor and for the person making the declaration, to be reckoned from the day on which the decision was communicated to the latter.

In the case of decisions respecting the classification of goods, the petitions of the consignor will be received within the same period, provided the goods which gave rise to the dispute have not left the customs warehouse.

§ 18.

German Consuls in Russia, and Russian Consuls in Germany, shall have the right to correspond directly with the Russian Customs Department and with German Customs Directors ("Provinzial Steuerdirektor," &c.) respectively regarding customs matters under the consideration of these authorities.

§ 19.

Guards, drivers, and other persons employed on the railways of either of the two Contracting Parties, when convicted of having smuggled goods in trains into the territory of the other Party, shall, at the request of the competent Customs authorities, be deprived of the right of travelling with trains to the frontier.

§ 20.

All measures of quarantine and veterinary police, namely, decisions relating to the closing or opening of the frontier to particular classes of goods, or those relating to alterations in local regulations on such matters, &c., shall, as soon as issued, be communicated by each of the two Contracting Parties to the other Party.

The details of this question shall be settled diplomatically.

§ 21.

Measures of quarantine for preventing the invasion of epidemics shall, in both countries, be applied to all passengers crossing the frontier, according to the greater or less probability of contagion, irrespective of the nationality of such passengers.

§ 22.

Nothing shall on either side be done to hinder persons being sent back [over the frontier] on account of their having defective passports, or on account of their not having paid customs duties; in such cases foreigners may be sent back by either Party, especially if they have not passed into the interior of the country. The competent authorities of both Parties shall come to an agreement as to the measures to be taken in this respect.

Russian Jewish emigrants and others, furnished with a Russian certificate of expatriation, sent back into Russia by the German authorities, shall be admitted by the authorities on the Russian frontier, provided the persons so sent back have not resided in Germany more than one month from the day on which they crossed the Russo-German frontier.

§ 23.

The frontier authorities of both Contracting Parties may not send back vagrants without passports, or other persons of the same class who are to be sent back into the territory of the Party to whom they belong, except to points on the frontier where the authorities are authorized to deal with passengers.

The present Protocol, which forms an integral part of the Treaty to which it relates, shall be considered as approved and sanctioned by the two Governments by the mere fact of the exchange of the ratifications of the Treaty, and without any ratification other than that of the Treaty.

In faith whereof the Plenipotentiaries have signed the same.
Done at Berlin, the 29th January (10th February), 1894.

TARIFF (A).

Annexed to the Treaty of Commerce and Navigation between Germany and Russia.

Nos. of the Russian General Tariff of June 11, 1891.	Tariff Classification.	Unit.	Rates.
			Gold. Rbla. cop.
ex 4	Potato feculæ Starch of all kinds; dextrine	Poud	0 60 1 15
	<i>Ex note.</i> —Starch of all kinds and dextrine, imported in packets, boxes, and other small receptacles, including the weight of the internal wrapping, pay a duty of 1 r. 30 cop. (gold) per poud.		
ex 5	1. Common unprepared vegetables; onions and garlic in cloves .. .. .	.. ..	Free.
	in 3. Chicory root, whole or cut, dried or not	Poud gross ..	0 40
ex 6	ex 1. Fresh fruits .. .. .	.. ..	0 60
ex 26	ex 1. Hops	Poud ..	3 50
32	Mineral waters, natural or artificial	Bottle or jar ..	0 03½
35	Cheese	Poud ..	5 40
ex 46	ex 2. Articles made of hogs' bristles, mounted on common wood without veneer; pencil brushes of hogs' bristles, and all other paint brushes .. .. .	.. ..	2 50
ex 55	ex 2. Morocco leather, glazed leather, kid skins, shagreen; leather of all kinds with impressed ornaments; small lacquered skins .. .. .	.. ..	12 00
	in 3. Driving belts for machinery, not made up; small round driving-straps and straps for looms .. .. .	.. ..	6 00
	4. Lacquered skins, large .. .. .	.. ..	6 80
	<i>Note.</i> —Cuttings and pieces of prepared skins, provided they are not cut out for shoemakers' wares or other small articles, pay the same duties as are leviable on the skins from which they are cut.		
ex 56	in 2. Musk-rat skins .. .. .	.. ..	6 60
	ex 4. Fox skins (other than those mentioned in paragraph 1 of the present article) and pieces of such skins .. .. .	.. ..	12 00
ex 57	3. Leather gloves of all kinds	Funt ..	2 55
	Wares of chamois leather, glazed leather, morocco, or parchment, except shoemakers' wares and surgical apparatus .. .. .	.. ..	2 00
	in 5. Note-books and pocket-books of chamois, glazed, or morocco leather, or of parchment .. .. .	.. ..	0 70
	<i>Note to paragraph 5.</i> —The duty fixed in this paragraph is applicable to all the articles mentioned in it, whether containing silk or half-silk trimmings as ornament or not.		
ex 61	1. Joiners' and turners' wares of common wood, not varnished, polished, nor veneered; wooden pegs or nails for shoemakers' use	Poud ..	0 55
	2. Joiners' and turners' wares of superior woods, not varnished and not polished; similar wares of common woods, varnished, polished, or veneered; furniture of bent beech-wood, not caned and not covered, mounted or unmounted .. .. .	.. ..	1 80
	3. Carved wooden wares of all kinds (except those under § 4 of the present Article); joiners' and turners' wares, gilt, silvered, or bronzed, or with gilt, silvered, or bronzed ornaments .. .. .	.. ..	4 50
ex 62	ex 2. Beet-root seed	Poud gross ..	0 10
ex 65	ex 4. Cement of all kinds (natural or artificial Portland, Roman, mixed cement, cement made from scoriae, and all others); bricks, slabs, and pipes of cement	Poud ..	0 08
ex 68	Yellow amber (other than that specially mentioned) .. .. .	.. ..	2 10
ex 74	Pottery of common clay or of fire-clay—		
	1. Vessels and wares of all kinds (except pipes and wares specially mentioned), not ornamented nor painted, and whether enamelled or varnished or not; bricks and tiles, glazed or varnished .. .. .	.. ..	0 25
	Single-coloured tiles of baked clay for walls or paving, plain stove tiles of baked clay, and projecting parts of stoves in baked clay (crowns or other parts), whether glazed, varnished, or ornamented with mouldings in relief, or not; stoneware jars for mineral waters, even glazed or varnished, but without painting, gilding, or carving .. .. .	.. ..	0 20
	2. Vessels and wares of all kinds (except pipes and wares specially mentioned in the Tariff), ornamented, painted, carved, or gilt .. .. .	.. ..	0 60

Nos. of the Russian General Tariff of June 11, 1891.	Tariff Classification.	Unit.	Rates.
			Gold. Rbls. cop. 0 50
	Multi-coloured tiles for walls or paving, plain stove tiles and projecting parts of the said stoves (crowns and other parts), whether glazed, varnished, or ornamented with mouldings in relief or not	Poud ..	1 50
ex 75	in 3. Tiles of baked clay for paving and walls, plain tiles and projecting parts of stoves (crowns and other parts) in baked clay, gilt or carved	.. ..	1 25
	2. Earthenware ("faïence"), with patterns, rims, or borders of one colour; earthenware ("faïence") coloured otherwise than in the paste	.. ..	3 30
ex 76	3. Similar wares with painting or gilding, or with patterns in several colours	.. ..	3 30
ex 77	ex 1. Majolica of all kinds, with or without moulded ornaments .. ..	.. ..	3 20
	ex 2. Articles (other than those specially mentioned) of white or half-white glass or crystal, not polished, and not cut, or cut only on the bottoms, rims, necks, stoppers, or covers, and with moulded or pressed figures or patterns, but without other ornament	.. ..	3 20
	b. Plain blown articles. .. ..	.. ..	3 20
	3. Articles of white, uncoloured, glass or crystal, polished or cut, but without ornament	.. ..	4 80
	in 5. Glass ornaments for Christmas-trees, including those coloured, gilt, or silvered, with inseparable metallic or other fittings for suspending them (such as hooks, clasps, wires, &c.)	.. ..	10 00
ex 79	ex 1. Coal, peat, and wood charcoal, or peat, imported over the western land frontier	.. ..	0 01
	ex 2. Coke imported over the western land frontier .. ..	.. ..	0 01½
ex 96	2. Heavy spar and native whiterite, ground .. ..	.. ..	0 50
	3. Baryta: sulphate of baryta ("blanc fixe") and carbonate of baryta, artificial	.. ..	0 80
ex 100	ex 1. Salts of chromic acid soluble in water (bichromate of potash, neutral chromate of potash, chromate of soda) .. ..	.. ..	2 15
ex 108	ex 6. Tannic acid (tannin). .. ..	.. ..	5 00
ex 109	2. Blue copperas, except anhydrous copperas, Salzburg copperas (a mixture of sulphates of iron and copper), white copperas or sulphate of zinc; chloride of zinc	.. ..	0 80
ex 111	Tartar emetic .. ..	.. ..	3 00
112	Chemical and pharmaceutical products not specially tariffed ..	Poud gross ..	1 50
113	Proprietary medicines the importation of which is authorized in accordance with a special list	.. ..	16 00
ex 125	2 c. Precipitated or washed chalk; chalk and talc, ground .. ..	.. ..	0 12
131	White lead and zinc white	Poud ..	0 50
132	Red lead .. ..	.. ..	0 35
133	Colours with base of copper (except verdigris) or of arsenic ..	.. ..	3 00
	Verdigris (basic acetate of copper) .. ..	.. ..	3 60
135	Dying substances (pigments) prepared with products from the distillation of coal tar; alizarine, extract of madder, lake of madder or alizarine; cochineal carmine, carmined lake; indigotine (indigo extract in a dry state)	.. ..	14 00
	<i>Note.</i> —Colouring substances mixed with non-colouring materials, such as clay and oil, pay the duties fixed in Article 137 when the colouring substance does not exceed 10 per cent. of the total weight of the mixture.		
in 136	Fine colours for miniatures in china or porcelain cups or saucers, in tubes, or in tin capsules; Indian ink, liquid, in flasks	.. ..	5 00
ex 139	Cast iron, in pigs, scrap, or filings—		
	ex 1. Of all kinds (except that specially mentioned) imported over the western land frontier	.. ..	0 30
140	Wrought iron—		
	1. In bars, merchant iron of all sorts, except such as is mentioned below; also wrought-iron in pigs or in puddled blooms, scrap, and mill bars; iron in powder	.. ..	0 50
	2. Iron rails, perforated or grooved, or not .. ..	.. ..	0 50
	3. In sheets of all sorts up to No. 25 inclusive (Birmingham gauge); in plates exceeding 18 inches in width; all merchant iron of a width or height exceeding 18 inches, and of a thickness or diameter of 7 inches or more; shaped iron (T, double T, ribbed, and Z iron, and of other complicated sections, except angle iron included in paragraph 1 of the present Article); hoop iron of a width or diameter of more than ½ and up to ½ inch inclusive	.. ..	0 65
	4. In sheets above No. 25 (Birmingham gauge) .. ..	.. ..	0 80
141	Tin plates (sheet iron, tinned), even varnished, with printed ornaments, or watered (metallic moreen); sheet iron, painted or varnished, or coated with zinc, copper, nickel, or other common metal	.. ..	1 55
142	Steel—		
	1. In bars, merchant steel of all sorts, except such as is separately mentioned below; steel in blooms, scrap steel	.. ..	0 50
	2. Steel rails, perforated or grooved, or not .. ..	.. ..	0 50
	3. In sheets of all sorts up to No. 25 inclusive (Birmingham gauge); in plates exceeding 18 inches in width; all merchant steel of a width or height exceeding 18 inches, and of a thickness or diameter of 7 inches or more; figured steel (T, double T, ribbed, and Z steel, and of other complicated sections, except angle steel included in paragraph 1 of the present Article); hoop steel of a width or diameter of more than ½ and up to ½ inch inclusive	.. ..	0 65
	4. In sheets above No. 25 (Birmingham gauge) .. ..	.. ..	0 80

Nos. of the Russian General Tariff of June 11, 1891.	Tariff Classification.	Unit.	Rate.
			Gold. Rbbl. cop.
ex 144	in 2. Tin-foil weighing 1 zolotnik or less per 25 square inches	Poud ..	2 00
ex 146	Lead—		
	2. In rolls, sheets, pipes, or wires	" ..	0 25
ex 147	Zinc—		
	1. In pigs or scrap; zinc ash	" ..	0 45
	2. In sheets, planed or polished, or not	" ..	0 80
ex 148	1. Wrought gold of all kinds; jewellery and trinkets of gold, unset or set with any kind or real or artificial stones, pearls, &c.	Funt ..	35 20
ex 149	Wares of copper, of alloys of copper, or of other common metals and their alloys mentioned in Article 143—		
	1. Articles without ornaments in relief or engraved, and stamped articles, with or without parts of wood, iron, tin plate, leather, or other common materials	Poud ..	4 32
	2. Articles with ornaments in relief or engraved (except stamped ornaments), decorated or plain, coated or not with patina, mounted or unmounted	" ..	13 60
	<i>Note.</i> —Spoons and forks of Britannia metal, cast, plain, pressed, stamped, but not engraved, including those with iron or steel core, pay duty under paragraph 1 of this Article.		
ex 150	1. Rough iron castings	" ..	0 60
	3. Cast iron wares, polished, planed, painted, bronzed, tinned, varnished, enamelled (except kitchen utensils), or coated with zinc or other common metal, with or without parts of wood, copper, or copper alloys	" ..	1 40
151	Iron or steel wares, wrought, stamped, pressed, or cast, not filed, or filed only at the sides and edges, but not otherwise worked, except the descriptions specially tariffed; wrought nails	" ..	1 40
152	Iron or steel boiler work, such as boilers, tanks, cisterns, cases, bridges, tubes, as well as all articles of sheet iron or sheet steel not specially tariffed	" ..	1 40
ex 153	Iron or steel wares not specially tariffed, shaped, turned, polished, cut, bronzed, or otherwise worked, with or without parts of wood, copper, or copper alloys—		
	1. Weighing more than 5 funts each	" ..	1 40
	2. Weighing 5 funts or less each	" ..	2 20
ex 154	Manufactures of tin plate—		
	1. Of all kinds; manufactures of sheet iron varnished, enamelled, or coated with zinc, tin, nickel, or other common metal, including wares coated with one layer of paint, except those referred to in paragraph 2 of the present Article	" ..	2 25
155	Wire ("fil d'archal")—		
	1. Of iron or steel—		
	a. Having a thickness or diameter of from $\frac{1}{4}$ inch up to No. 25 (Birmingham gauge)	" ..	1 00
	b. Above No. 25 and up to No. 29 inclusive	" ..	1 50
	c. Finer than No. 29	" ..	2 00
	2. Of copper, of copper alloys, or of any alloys of non-precious metal—		
	a. Having a thickness or diameter of from $\frac{1}{4}$ inch up to No. 25 (Birmingham gauge)	" ..	4 00
ex a.	Electric cables of all kinds	" ..	2 00
b.	Above No. 25 and up to No. 29 inclusive	" ..	5 00
c.	Finer than No. 29	" ..	6 00
	<i>Note.</i> —All wire ("fil d'archal") tinned, coated with zinc or any other common metal, will pay duty according to the corresponding paragraphs of the present Article, with an addition of 25 per cent.		
ex 156	Wire manufactures—		
ex 1.	Of iron or steel wire—		
in a.	Iron or steel wire, whether coated with tin or zinc or not, or covered with textile materials or gutta-percha	" ..	3 20
b.	Fillets of cards and cards of all kinds	" ..	3 20
ex 2.	Of copper or of copper alloys—		
ex b.	Wire up to and including No. 29 (Birmingham gauge), covered with textile materials or gutta-percha	" ..	7 50
	<i>Note.</i> —Wire covered with silk, mixed or not with other textile materials, will pay 20 per cent. above the duties fixed in paragraph 1 a and in paragraph 2 b of the present Article.		
ex 158	Cutlery—		
	1. Of all kinds mounted in common materials, shears [scissors] (except sheep shears), scissors, tweezers, knife blades, and forks without handles, finished or not	" ..	13 60
160	Scythes and sickles, chaff-cutters, bills, sheep shears, spades, shovels, rakes, hoes, and forks	" ..	1 10
161	Tools for use in art, trades, factories, and workshops	" ..	1 10
ex 163	3. Manufactures of tin, zinc, or their alloys, coated with copper, alloys of copper, or nickel (except the articles which are referred to in Article 215)	" ..	4 32
167	Machines, apparatus, and models thereof, complete or incomplete, mounted or unmounted—		
	1. Of all kinds, if composed of copper or of copper alloys	" ..	4 32

Nos. of the Russian General Tariff of June 11, 1891.	Tariff Classification.	Unit.	Rates.
	Machines, apparatus, &c. (<i>continued</i>)—		Gold. Rbls. cop.
	2. Gas meters, water meters, gas, hot air, or petroleum motors; magnetic machines; dynamo-electric machines of all kinds; sewing and knitting machines; portable engines (other than those mentioned in paragraph 5); tenders, fire-engines (other than those mentioned in paragraph 3); machinery of all kinds not specially tariffed, of cast or wrought iron or of steel, with or without parts of other metals	Poud ..	1 40
	3. Railway locomotives, traction engines, locomotive waggons, steam waggonettes, steam fire-engines	" ..	1 80
	4. Agricultural machinery and apparatus not provided with steam motors and not specially tariffed, as well as models of the same	" ..	0 50
	5. Portable engines imported with threshers of a complicated system	" ..	1 20
	<i>Note</i> .—Parts of machinery and apparatus imported separately from the machines or apparatus pay duty as follows:— (a) if of copper or copper alloys, an import duty of 4 r. 32 cop. (gold) per poud; (b) if of cast iron or steel, an import duty of 1 r. 40 cop. (gold) per poud.		
168	Scales and their accessories; parts of scales, except those of copper or of alloys of copper—		
	1. For the first 3 pounds of each scale; weights for scales ..	" ..	3 00
	2. For each poud above 3	" ..	1 40
ex 169	Apparatus and accessories for electric lighting, if composed of stamped or pressed metal, including those scoured, varnished, or enamelled (but not polished), combined with porcelain, glass, wood, or other common materials	" ..	6 00
ex 171	Clocks and watches—		
ex 171	Movements for clocks, travelling clocks, or mantel or table time-pieces, imported without their cases or separately from the cases, pay 1 rouble (gold) each, and in addition	Funt ..	0 50
	<i>Note 1</i> .—Clocks, travelling clocks, or mantel or table time-pieces, of which the movements cannot be separated from the cases without the aid of instruments, pay duty according to the material of the case, and in addition are subject to a duty for the complete works of 1 r. 50 cop. (gold) each.		
	<i>Note 3</i> .—Movements of so-called American clocks, i.e., with stamped or burnished or varnished (but not polished) pillars and wheels, with pinions made without cutting, pay 60 copecks per complete set without surtax for the weight. Clocks and time-pieces which have movements of the above type, when the works cannot be separated from the case without the aid of instruments, pay duty on the weight according to the material of the case, and in addition 60 copecks (gold) for each movement.		
ex 172	6. Clock and watch fittings of all kinds not put together	" ..	0 50
	1. Grand pianos; non-portable organs of all kinds	Each ..	112 00
	2. Cottage pianos	" ..	64 00
	4. Musical instruments of all kinds not separately tariffed; accessories of musical instruments imported separately, such as bows, gut or silk strings (metallic strings are dutiable under Article 155), keyboards, piano hammers (pegs for pianofortes are dutiable under Article 166, paragraph 3), metronomes, tuning-forks, cranks ("crans"), &c.	" ..	0 10
	Collars, cuffs, and shirt fronts of paper, covered or not on one or both sides with white or printed cotton tissue, without traces of needle-work, including the weight of the cardboard boxes in which they are contained	Poud ..	2 40
ex 177	4. Sized paper of all kinds, except such as specially mentioned in the Tariff, white or coloured in the paste, and without ornaments; copy books with covers (but not bound); Bristol board and other satined and glazed cardboard of all kinds, in rolls or sheets, or cut in bands, or in visiting cards; paper bobbins for winding thread; sized paper applied upon net tissue, linen, or coarse calico; transparent tracing tissue	" ..	3 30
	6. Writing paper, paper for printers, lithographers, bookbinders, or confectioners, with ornamentation such as gilding, silvering, bronzing, or impressions, or cut into the form of lace work, or with figures, pastings, borders, crests, monograms, pictures, &c.; cigarette paper, tissue paper, paper coloured on one or both sides (but not in the paste), paper wares, such as envelopes, lamp shades, artificial flowers made of paper, &c.	" ..	8 75
ex 178	ex 7. Oleographs and chromolithographs	" ..	5 00
	2. Music, maps, and plans, reproduced by printing, lithography, or photography	" ..	3 20
ex 186	Wool, combed, spun, and twisted—		
	1. Combed—		
	a. Not dyed	" ..	4 50
	b. Dyed	" ..	6 00
	2. Spun wool, with or without mixture of cotton, linen, or hem—		
	a. Not dyed	" ..	8 50
	b. Dyed	" ..	9 80

Nos. of the Russian General Tariff of June 11, 1891.	Tariff Classification.	Unit.	Rates.
			Gold. Rbls. cop.
	Wool, combed, &c. (<i>continued</i>)—		
	3. Twisted wool of two or more threads—		
	a. Not dyed	Pound ..	9 80
	b. Dyed	" ..	11 40
ex 187	Ex notes common to Articles 187 and 188 :		
and ex 188	2. Cotton tissues of all kinds, neckcloths, handkerchiefs, napkins, tablecloths, and other similar articles, with figures or stripes formed by a few supplementary silk threads, will pay duty according to Nos. 187 and 188, with an addition of 50 per cent. Articles which come under paragraph 4 of Article 187 and paragraph 4 of Article 188 are exempt from this surtax.		
192	Tissues of linen, hemp, jute, and other materials mentioned in Article 179, paragraph 3—except the tissues mentioned in Articles 191 and 193—with or without mixture of cotton or with mixture of tinsel—		
	1. Ticking for mattresses or for furniture, damasked cloths for carpets or for furniture, and other similar thick tissues	Funt ..	0 40
	2. Twills, serge-like, satin, drills, panamas, ticks, canvas, &c., and other similar tissues for clothing	" ..	0 50
	3. Tablecloths, napkins, and towels.	" ..	0 90
	<i>Note.</i> —Tissues of the descriptions mentioned above, when containing silk, if the silk only forms part of a pattern or stripe formed by a few warp threads, will pay 30 per cent. above the duties specified in the respective paragraphs of this Article.		
ex 197	Velvets and plushes, and velvet and plush ribbons, with pile of silk (or waste silk) not containing silk (or waste silk) in either the warp or the woof, including those with a list of silk or half-silk $\frac{1}{2}$ inch or more in width on each side of the stuff or ribbon	" ..	3 00
199	Woven or knitted stuffs of wool or goats' hair, with or without mixture of cotton, plain or <i>chiné</i> , not specially tariffed—		
	a. Of all kinds, except those mentioned in paragraph 6	" ..	1 05
	b. Of combed wool, or with mixture of combed wool	" ..	1 05
200	Similar tissues printed pay 30 per cent, in addition to the duty fixed by Article 199		
	Ex notes common to Articles 199 and 200.		
	1. Stuffs of wool or goats' hair with the warp or woof of silk are dutiable as silk tissues; similar stuffs containing silk, but only in the form of patterns or stripes composed of a few supplementary silk threads, will pay 20 per cent. additional to the duties specified above.		
205	Knitted wares and trimmings ("passementerie")—		
	1. Knitted wares, including those with traces of sewing—		
	a. Of silk.	" ..	5 00
	b. Of half-silk	" ..	1 90
	c. Of cotton	" ..	0 50
	Of all other kinds	" ..	0 60
	2. Tapes and braidings for trimmings (accessories), fringes, tassels, trimming, and other plaited wares—		
	a. Of silk or half-silk	" ..	1 90
	b. Of all other kinds	" ..	0 60
	<i>Note.</i> —The wares mentioned in paragraphs 1c and 2b, with mixture of silk or tinsel (or of sham silver) in the shape of ornaments will pay 20 per cent. above the duties specified in the said paragraphs.		
ex 206	Cotton tulle—		
	1. For furniture ("antimacassars"), with woven or embroidered patterns; tulle or muslin curtains	Funt ..	1 20
ex 207	ex 2. Machine-made lace of all kinds, except lace of silk	" ..	3 15
ex 209	ex 3. Clothing for men with or without trimming—		
	b. Of woollen tissues	" ..	1 55
ex 211	Umbrellas, parasols, and umbrella sticks—		
	ex 1. Of all kinds, covered with half-silk tissue, with or without lining, trimmed or untrimmed	Each ..	1 50
	ex 2. Of all kinds, covered with woollen stuffs, with or without trimming	" ..	0 60
	3. Of all kinds not specially tariffed, covered or not with stuffs, and with or without trimming, with plain or ornamented handles	" ..	0 35
ex 212	Buttons—		
	ex 1. Metallic buttons of all kinds, except those of gold, silver, or platina (Article 148); linen, cotton, woollen, or silk buttons of all kinds	Funt ..	0 60
ex 215	ex 2. Porcelain buttons	" ..	0 25
	Mercery and toilet articles not specially tariffed, mounted or not; children's toys—		
	1. Fine mercery containing costly materials such as silk, aluminium, mother-of-pearl, coral, tortoise-shell, ivory, enamel, amber, and other valuable materials, metals or metallic compositions, gilt or silvered; wares of mother-of-pearl, tortoise-shell, ivory, or amber, of all kinds, not specially tariffed	" ..	1 80

Nos. of the Russian General Tariff of June 11, 1891.	Tariff Classification.	Unit.	Rates.
	Mercery and toilet articles, &c. (<i>continued</i>)—		Gold. Rbls. cop.
	2. Common mercery with parts, mountings, or ornaments of common metal or metallic alloys (not gilt or silvered), of horn, bone, wood, porcelain, semi-precious stones, glass, meerschaum, whalebone, jet, celluloid, lava, and other cheap materials; wares of all kinds not specially tariffed, composed of horn, bone, meerschaum, whalebone, jet, celluloid, lava, or wax	Funt ..	0 40
	<i>Note to paragraph 2.</i> —The articles mentioned in the preceding paragraph will pay the duty specified even if they contain silk or half-silk as ornamental trimming.		
ex 216	Pencils of all sorts, including coloured crayons, assorted or not, including the weight of the boxes in which they are imported	..	0 35
	<i>Note 2.</i> —Slates will pay the duty fixed in Article 70, paragraph 2 a, with an addition of 50 per cent. in Note 2. Slate pencils not covered with paper or other materials will pay duty as slates.		
	EXPORT DUTIES.		
3	Rags of all kinds, woollen clippings and unfinished paper in the paste	Poud ..	0 30

TARIFF (B).

Articles of the German Tariff (in force from 1st February, 1892).				Description of Goods.	Unit.	Duty in Marks.
ex 1.	b.	..	..	Blood of slaughtered animals, liquid or dry; sinews and tendons; returns ("drèche"); residues from the distillation of brandy; chaff; bran; malt dust; coal-ashes; animal and other manures, such as lye-ashes (wood-ashes in lye), slack-lime, dried scum from sugar refineries, and animal bone of all kinds	..	Mk. pf. Free.
	c.	..	..	Rags of all kinds, waste paper, old printed paper and old manuscripts, old fishing-nets, old cordage; lint	..	Free.
ex 4.	..	..	..	(Brush and sieve manufactures)—		
	ex a.	..	..	(Common wares)—		
		1.	..	Brushes of bast, straw, reeds, grass, roots, rushes, &c., combined or not with wood or iron, neither polished nor varnished	100 kilog. ..	4 00
			..	Brooms of bast, straw, reeds, grass, roots, rushes, &c., combined or not with wood or iron, neither polished nor lacquered	..	3 00
ex 5.	..	ex a.	..	Graphite, in tablets, dice, &c., compressed and prepared	..	2 00
		ex d.	..	Wooden matches	..	10 00
ex 6.	c.	..	..	Plates and sheets of wrought iron—		
		1.	..	Rough	..	3 00
		2.	..	Polished, varnished, lacquered, coated with copper, tin (tin plate), zinc, or lead	..	5 00
	ex e.	..	..	(Iron ware)—		
		ex 2.	..	(Common wares)—		
			β	Cleaned off, varnished, coated with copper, zinc, tin, lead, or enamel, but not polished or lacquered; also skates, hammers, axes, choppers, common locks, common cutlery, scythes, sickles, curry-combs, tower clocks, screw-drivers, squares, wood-screws, lock-screws, wheel-screws, screws of iron wire, pincers, stamped keys, manure and hay forks	..	10 00
		ex 3.	..	(Fine)—		
		a.	..	Of fine cast iron, light ornaments of cast iron, polished cast iron, artistic castings, malleable cast iron;	}	24 00
		β.	..	Of wrought iron, polished or lacquered, such as knives, scissors, knitting and crochet needles, sword-makers' wares, &c.;		
			..	All these articles, if they are not mentioned under another number, even if they are combined with wood and other materials, unless they are classed, on account of such combination, under mercery (No. 20)		
ex 7.	a.	..	..	Earths and mineral substances, raw, calcined, washed, or ground, as well as ores, including those prepared, not specially classed; precious metals, coined, in bars, or broken pieces; asbestos fibre, including cleaned, asbestos cement, liquid asbestos	..	Free.

Articles of the German Tariff (in force from 1st February, 1892).				Description of Goods.	Unit.	Duty in Marks.
						Mk. pf.
	<i>b.</i>	..	..	Cardboard and paper of asbestos, in sheets or rolls, and plates of asbestos—		
		1.	..	Not moulded	100 kilog. ..	10 00
		2.	..	Moulded, whether stamped or not	" ..	24 00
8.	..	..	..	Flax and other textile vegetable materials, with the exception of cotton, raw, retted, broken, heckled, and waste of such materials	" ..	Free.
ex 9.	<i>a.</i>	..	..	Wheat	100 kilog. ..	3 50
	<i>b.</i>	..	<i>a.</i>	Rye	" ..	3 50
			<i>β.</i>	Oats	" ..	2 80
			<i>γ.</i>	Buckwheat	" ..	2 00
			<i>δ.</i>	Pulse ("Hülsenfrüchte")	" ..	1 50
			<i>ε.</i>	Other cereals not specially mentioned	" ..	1 00
	<i>c.</i>	..	..	Barley	" ..	2 00
	<i>d.</i>	..	<i>a.</i>	Colza, rape, poppy, sesame, earth-nuts, and other oleaginous seeds not elsewhere mentioned	" ..	2 00
			ex <i>β.</i>	Linseed		Free.
	ex <i>e.</i>	..	..	Maize	100 kilog. ..	1 60
	ex <i>f.</i>	..	..	Malt (barley malted)	" ..	3 60
	<i>g.</i>	..	..	Anise, coriander, fennel, and carraway seed.. .. .	" ..	3 00
	ex <i>i.</i>	..	..	Chicory, dried	" ..	0 80
	<i>k.</i>	..	..	Agricultural produce not otherwise mentioned	" ..	Free.
ex 10.	<i>e.</i>	..	..	Pendants of chandeliers, glass buttons, including coloured; massive white glass, not elsewhere mentioned; moulded, pressed, cut, ground, polished, corroded, and engraved or figured glass, provided that it is not included in letters <i>d</i> or <i>f</i>	100 kilog. ..	12 00
ex 11.	..	ex <i>a.</i>	..	Horse-hair, raw, combed, boiled, dyed, curled, spun; bristles; bed feathers not cleaned	..	Free.
		ex <i>f.</i>	..	Bed feathers, cleaned and prepared	..	Free.
12.	..	..	..	Hides and skins—		
		<i>a.</i>	..	Large and small hides, raw (green, salted, treated with lime, and dried), for tanning, whether with or without the hair	..	Free.
		<i>b.</i>	..	Skins for furriers	..	Free.
ex 13.	ex <i>a.</i>	..	..	Charcoal; shavings of horn, hoofs, and claws, bone (for carving), raw	..	Free.
	<i>b.</i>	..	..	Tan, tan bark, whether ground or not	..	Free.
	ex <i>c.</i>	..	..	Wood for building and industrial purposes—		
		1.	..	Rough or simply cut in lengths with the axe or saw, or rough-hewn, with or without the bark; staves of oak for casks	100 kilog. .. Cub. metre ..	0 20 1 20
		2.	..	Wood split lengthwise, prepared in a manner other than that of being rough-hewn with the axe, or divided in pieces; staves not coming under No. 1; osiers for basket-work and hoop-wood, unpeeled; naves, felloes, and spokes of wheels	100 kilog. .. Cub. metre ..	0 30 1 80
		3.	..	Wood sawn in lengths; planks not planed; squared timber, and wood sawn or cut into shapes	100 kilog. .. Cub. metre ..	0 80 4 80
	<i>d.</i>	..	..	Coopers' wares, common, not painted; turners' wares, common, not painted; carpenters' wares, common, not painted; and other wooden wares simply planed, with the exception of hard wood or veneered furniture; wheelwrights' wares, rough; osiers for basket-work, peeled; coarse basket wares, neither painted, nor stained, nor polished, nor varnished; rattans, stained or split	100 kilog. ..	3 00
			..	Basket-work of shavings, not painted	" ..	1 00
			..	Horn, in sheets; rough bone, simply cut in sheets or plates	" ..	1 50
			..	Veneers, parts of parquetry, unglued, not stained	" ..	5 00
	ex <i>g.</i>	..	..	Fine basket-work	" ..	30 00
			..	Basket-work of shavings, painted,	" ..	10 00
				Note to <i>g</i> —		
			1.	Buffalo and other horns, smoothed, polished, or otherwise prepared for use	" ..	40 00
			2.	Buttons of horn, moulded	" ..	30 00
ex 15.	ex <i>b.</i>	..	..	Machinery—		
		ex 2.	..	According to the material preponderating in weight—		
			<i>a.</i>	Of wood	" ..	3 00
ex 20.	ex <i>b.</i>	2.	..	Fine, fancy, and small wares ("mercerie et quincaillerie fines"), ornamental and toilet articles for men and women, bric-à-brac, &c.—	..	
			..	Wholly or in part of aluminium, of other base metals, but of fine manufacture, more or less nicked, gilt, silvered, or varnished, or combined with semi-precious or imitation stones, alabaster, enamel, or with carving, chasing, pastes, cameos, or ornamentations of cast metal	..	175 00
ex 21.	ex <i>b.</i>	..	..	Sole leather, Brussels and Danish leather for gloves	" ..	30 00
ex 22.	..	..	..	Flax and hemp (yarn and tissues of), i.e., yarn, tissues, and hosiery of flax and other vegetable textile materials, with the exception of cotton—		
		<i>a.</i>	..	Yarn, neither dyed, printed, nor bleached, also the same yarn, twisted, of jute or Manila hemp—		
			1.	Up to No. 8 English	" ..	5 00
				Yarn of jute, up to No. 8 English	" ..	4 00
			2.	Above No. 8, up to No. 20 English	" ..	6 00
				Yarn of jute above No. 8, up to No. 20 English.. .. .	" ..	5 00
			3.	Above No. 20, up to No. 35 English	" ..	9 00
			4.	Above No. 35 English	" ..	12 00

Articles of the German Tariff (in force from 1st February, 1892).				Description of Goods.	Unit.	Duty in Marks.
	<i>c.</i>	..	..	Sewing thread, assorted; twisted thread not comprised in letters <i>a</i> , <i>b</i> , and <i>d</i>	100 kilog. ..	Mk. pf. 36 00
	<i>d.</i>	..	..	Sewing thread, twisted, assorted, of flax or other vegetable filaments, with the exception of cotton	" ..	50 00
	<i>e.</i>	..	..	Cordage—		
	1.	..	..	Ropes, cables, including those bleached or tarred..	" ..	10 00
	2.	..	..	Ropemakers' wares of all kinds, with the exception of those mentioned under No. 1	" ..	24 00
	<i>ex f.</i>	..	..	Linen cloth, tickings, and drills, neither dyed, printed, nor bleached—		
	1.	..	..	Having in the warp and woof per 4 centim. square up to 40 threads warp and woof included; carpets of Manila hemp, coir, jute, or similar fibres, not dyed	" ..	12 00
				Packing cloth of jute, of Manila hemp, or of other similar materials, with the exception of flax, neither dyed, printed, nor bleached, having in the warp and woof per 4 centim. square up to 40 threads	" ..	10 00
<i>ex 25.</i>	<i>k.</i>	..	..	Thread lace	" ..	600 00
	<i>ex e.</i>	1.	..	Wine in casks—		
				Wine and must, in casks	" ..	20 00
				Red wine and must of red wine, for blending, under control	" ..	10 00
				Wine for the manufacture of cognac, under control ..	" ..	10 00
	<i>f.</i>	..	..	Butter, whether artificial or not	" ..	16 00
	<i>ex g.</i>	<i>ex 1.</i>	..	Butchers' meat, fresh, with the exception of pork ..	" ..	15 00
				Pork, fresh or prepared, except fresh or prepared bacon	" ..	17 00
				Extracts of meat and soup tablets	" ..	20 00
		<i>ex 2.</i>	..	Fish—		
		7.	..	Preserved in vinegar, oil, or spices, in barrels	" ..	12 00
		3.	..	Poultry, of all kinds, killed	" ..	12 00
				Game, of all kinds, killed	" ..	20 00
	<i>n.</i>	..	..	Caviar and its substitutes	" ..	150 00
	<i>o.</i>	..	..	Hard cheese, of a millstone shape, weighing at least 50 kilog. each	" ..	15 00
	<i>ex p.</i>	<i>ex 1.</i>	..	Other cheeses	" ..	20 00
				Preserves, sweetmeats, and cakes of all kinds; fruits, spices, vegetables, and other alimentary substances (mushrooms, truffles, poultry, shellfish, and the like), preserved in sugar, vinegar, oil, salt, or dried, in bottles, tins, &c.; prepared mustard; capers, pies, sauces, and other similar fine aliments	" ..	60 00
				Alimentary milk flour for infants (Nestlé's, &c.)	" ..	50 00
				Gherkins preserved in vinegar or brine (known as Znaim gherkins), with the addition of the spices mentioned in <i>i</i> , No. 25, or with a slight addition of other vegetables, in barrels, jars, pots of earthenware or glass, &c.	" ..	4 00
		<i>ex 2.</i>	..	Fruits, grain, seeds, berries, leaves, flowers, mushrooms, and vegetables, dried, roasted, ground, simply cooked, or salted, when not included in any other number of the Tariff; juice of fruits and berries, cooked without sugar	" ..	4 00
	<i>q.</i>	2.	..	Mill products of grain and pulse (peas, haricot beans, &c.), to wit: hulled or broken grain, groats, semolina, flour; bakers' common products	" ..	7 30
<i>ex 26.</i>	<i>g.</i>	..	..	Residues, solid, from the manufacture of oils, whether ground or not	..	Free.
	<i>ex h.</i>	..	..	Goose grease, and other fatty substances, melted, such as oleo-margarine, butter substitutes (a mixture of tallow-like greases and oil), beef marrow	100 kilog. ..	10 00
	<i>k.</i>	..	..	Fish grease and fish oil	" ..	3 00
	<i>l.</i>	..	..	Tallow, beef and mutton; bone fats, and other animal greases not elsewhere mentioned	" ..	2 00
<i>ex 27.</i>	<i>a.</i>	..	..	Unbleached or bleached half-manufactured paste of rags ..	..	Free.
	<i>ex b.</i>	..	..	Half-manufactured paste, bleached or not, for paper-making, of wood, straw, esparto, or other fibres; grey blotting-paper, rough yellow straw paper; pasteboard, with the exception of card leather and glazed pasteboard	100 kilog. ..	1 00
	<i>c.</i>	..	..	Packing-paper not included in the above letter <i>b</i> and in the following letter <i>c</i> , unsized	" ..	3 00
	<i>d.</i>	..	..	Sized packing-paper	" ..	3 00
				Glazed pasteboard and card leather; press-boards	" ..	6 00
	<i>e.</i>	..	..	Printing, writing, blotting, silk paper, of all kinds; and lithographed, printed, or ruled paper, for accounts, labels, way-bills, bills ("devises"), &c.	" ..	6 00
				Gilt and silvered paper; paper with gilt or silvered patterns, perforated paper, &c.; bands of such paper; artists' card-board for painting or drawing	" ..	10 00
28.	..	..	..	Peltries—		
	<i>a.</i>	..	..	Fur garments ("pelisses"), caps, and gloves, lined; lined fur coverings; linings and trimmings of fur and similar lined articles	" ..	150 00
	<i>b.</i>	..	..	Sheep-skin garments ("pelisses"), made up, but not lined; coverings, made up, but not lined; sheep skins and angora skins, bleached or dyed, made up, but not lined; trimmings and furs, not lined, for garments ("pelisses")	" ..	6 00
<i>ex 30.</i>	<i>a.</i>	..	..	Cocoons; raw or spun silk; floss silk, combed, spun, or twisted; all these silks not dyed; and waste of dyed silk	..	Free.
	<i>b.</i>	..	..	Silk wadding	100 kilog. ..	24 00

Articles of the German Tariff (in force from 1st February, 1892).				Description of Goods.	Unit.	Duty in Marks.
						Mk. pf.
	ex e.	1.	..	Tissues of silk or floss silk, including those combined with metallic threads; tissues of silk combined with other textile materials and metallic threads	100 kilog.	800 00
				Tissues of silk or floss silk	"	600 00
ex 33.	a.	..	..	Stones, rough, or only hewn, including those ground..	..	Free.
	ex b.	..	..	Millstones, including those with iron hoops ..	..	Free.
36.	..	..	..	Tar, pitch, resins of all kinds, asphalt ..	..	Free.
37.	..	..	..	Animals and animal products, not elsewhere mentioned—		
	a.	..	..	Live animals and animal products, not elsewhere mentioned; beehives with live bees	..	Free.
	b.	..	..	Eggs of poultry	100 kilog.	2 00
ex 38.	f.	..	..	Porcelain and wares having the appearance of porcelain (Parian, jasper ware, &c.)—		
		1.	..	White	"	10 00
		2.	..	Coloured, with coloured borders, printed, painted, gilt, or silvered	"	20 00
				Combined with other materials, provided that, by reason of the combination, the wares are not classed in No. 20 (mercery)	"	24 00
ex 39.	b.	..	..	Bulls and cows	Each	9 00
	c.	..	..	Oxen	"	25 50
				<i>Note to c.</i> —The inhabitants of the frontier districts may introduce draught oxen of from 2½ to 5 years at the rate of 20 marks per head, on proof that such oxen are necessary for working land belonging to the importer.		
	d.	..	..	Young bullocks and bulls and heifers up to 2½ years old	"	5 00
	e.	..	..	Calves less than 6 weeks old	"	3 00
	f.	..	..	Swine	"	5 00
	g.	..	..	Sucking pigs, weighing less than 10 kilog. ..	"	1 00
	h.	..	..	Sheep, ewes and rams	"	1 00
	i.	..	..	Lambs	"	0 50
ex 41.	a.	..	..	Wool, raw, dyed, milled; hair of animals, not mentioned elsewhere, raw, combed, boiled, dyed, or curled	..	Free.
	ex d.	1.	..	Cloth list		Free.
		2.	..	Coarse felts, neither printed nor dyed	100 kilog.	3 00
		5.	..	Unprinted cloths and tissues, not included under Nos. 7 and 8—		
		a.	..	Weighting more than 200 grammes per square metre, except those specially mentioned below	"	135 00
				Undyed felted tissues of wool, including those combined with cotton or linen, endless woven, for the manufacture of wood and straw pulp, cellulose, and paper	"	100 00
		6.	a.	Printed tissues not entering in the category of carpets, weighing more than 200 grammes per square metre; trimmings and button stuffs; plushes; tissues combined with metal threads	"	150 00
			β.	Printed wares not entering in the category of carpets, weighing 200 grammes or less per square metre	"	220 00

Note from his Excellency Count Schouvaloff, Russian Ambassador at Berlin, to his Excellency Baron von Marschall, Secretary of State for Foreign Affairs of the German Empire, dated January 29 (February 10), 1894, No. 161.

M. le Baron,

In the course of an exchange of views which preceded the Berlin Conference for negotiating a Treaty of Commerce and Navigation between Russia and Germany, the Imperial Russian Government, having decided to assimilate the Customs Tariff of the Grand Duchy of Finland with that of the Empire, thought it proper to declare its intention to proceed but gradually with the increase of the former of these Tariffs, as the Finnish Tariff is not to be definitely assimilated with the Russian Tariff till towards the end of 1905.

In actual confirmation of this intention the Imperial Russian Government, anxious to allay all uncertainty on this point, which would not be advantageous to the development of exterior commercial relations, thinks it right at this stage to establish the principal terms for the gradual increase of the Finnish Tariff.

The Imperial Russian Government declares, therefore, that it is not its intention to proceed with this increase till the 19th (31st) December, 1898; from that date forward the Finnish Tariff may be increased by 50 per cent. of the differences which will exist between the rates of the Russian and Finnish Tariffs; after the 18th (31st) December, 1901, a new increase by 25 per cent. of the above differences may take place; from the 18th (31st) December, 1903, forward the Russian Imperial Government reserves full and complete right of action respecting the ultimate assimilation of the Customs Tariff of the Grand Duchy of Finland with the Customs Tariff of the Empire.

Nevertheless, the above stipulations which regulate the manner of gradually increasing the Finnish Tariff, do not deprive the competent authority of the Grand Duchy of Finland of the right to introduce into the said Tariff partial changes which may be rendered advisable by local commercial and industrial needs.

It must be understood that the operation of the Treaty of Commerce and Navigation concluded on the 29th January (10th February), 1894, between Russia and Germany, together with the provisions of the first portion of the Final Protocol, which forms an integral part of the Treaty, will be extended to the Grand Duchy of Finland in every matter which applies to it, and especially as regards the provisions of Articles VI, IX, and XIII of the Treaty.

Accept, &c.
(Signed) P. Count SCHOUVALOFF.

Note from his Excellency Baron von Marschall, Secretary of State for Foreign Affairs of the German Empire, to his Excellency Count Schouvaloff, Russian Ambassador at Berlin, dated February 10, 1894.

In the letter which your Excellency had the goodness to address to me to-day, you acquainted me with the following arrangements made by your Government respecting the assimilation of the Customs Tariff of the Grand Duchy of Finland to the Tariff of the Russian Empire.

According to your letter the Imperial Russian Government is prepared not to increase the Finnish Tariff before the 19th (31st) December of the year 1898. From that date forward the Imperial Russian Government reserves to itself the right to increase the said Tariff by 50 per cent. of the differences which there may be between the Russian and Finnish Tariffs, and to introduce, after the 18th (31st) December, 1901, a fresh increase of 25 per cent. on the said differences.

Notwithstanding the preceding stipulations, the Russian Imperial Government, while reserving to itself full and complete right of action respecting the ultimate assimilation of the Customs Tariff of the Grand Duchy of Finland to the Tariff of the Empire from and after the 18th (31st) December, 1903, thinks it right to reserve to the competent authorities of the Grand Duchy of Finland the right to introduce into the said Tariff any partial changes which may be rendered advisable by local commercial and industrial requirements.

Your Excellency's letter states further that the Russian Imperial Government consents to the operation of the Treaty of Commerce and Navigation concluded on the 29th January (10th February), 1894, between Germany and Russia, together with the provisions of the first portion of the Final Protocol, which forms an integral part of the Treaty, being extended to the Grand Duchy of Finland in every matter which applies to it, and especially as regards the provisions laid down in Articles VI, IX, and XIII of the Treaty.

In the name of my Government, I hasten to take note of the declarations contained in your Excellency's above-mentioned communication.

Accept, &c.
(Signed) Baron von MARSCHALL.

COMMERCIAL. No. 4 (1894).

TREATY of Commerce and Navigation between
Germany and Russia.

Signed at Berlin, January 29 (February 10), 1894

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. May 1894.*

TREATY SERIES. No. 16.

1894.

CONVENTION

BETWEEN

GREAT BRITAIN AND GERMANY

ESTABLISHING A

CUSTOMS UNION

BETWEEN THE

GOLD COAST COLONY, EAST OF THE VOLTA, AND TOGOLAND.

Signed at Berlin, February 24, 1894.

*Presented to both Houses of Parliament by Command of Her Majesty.
May 1894.*

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[C.—7387.]

CONVENTION BETWEEN GREAT BRITAIN AND
GERMANY ESTABLISHING A CUSTOMS
UNION BETWEEN THE GOLD COAST
COLONY, EAST OF THE VOLTA, AND
TOGOLAND.

Signed at Berlin, February 24, 1894.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and the Government of His Majesty the German Emperor, with a view to assure the development of commerce within the territories of either State on the Gold and Slave Coasts, have concluded the following Convention :—

Die Regierung Ihrer Majestät die Königin von Grossbritannien und Irland, Kaiserin von Indien, und die Regierung Seiner Majestät des Deutschen Kaisers, in der Absicht, die Entwicklung des Handels in den Gebieten beider Staaten an der Gold und Sklavenküste zu sichern, haben nachstehenden Vertrag abgeschlossen :—

ARTICLE I.

The British possessions on the Gold and Slave Coasts, lying to the eastward of the River Volta, and the German possessions on the Gold and Slave Coasts shall form a single Customs territory, without any intervening Customs barrier, in such manner that one and the same rate of customs duty shall be levied within them, and that goods having paid customs duty on the one territory may be imported into the other without additional payment.

[72]

ARTIKEL I.

Die östlich des Volta-Flusses belegenen brittischen und die deutschen Besitzungen an der Gold- und Sklavenküste sollen ein einheitliches Zollgebiet bilden, ohne Zwischenzollgrenze, dergestalt, dass daselbst ein und dieselben Zölle erhoben werden und dass die auf einem Gebiet verzollten Waaren, ohne einer neuen Abgabe zu unterliegen, in dass andere eingeführt werden Können.

ARTICLE II.

Goods imported into the joint Customs Territory are liable to the following rates of duty:—

1.

Article paying Duty.	Rate in German Money.	Rate in English Money.
	M. pf.	s. d.
Gin, brandy, rum, liqueurs, and miscellaneous spirits or strong waters, irrespective of strength, per litre	0 22	0 9½ per old wine gallon.
Tobacco, per kilog.	0 50	0 2½ per lb.
Powder, per lb.	0 50	0 6
Fire-arms, each	2 00	2 0

2. All other articles imported are subject to an import duty of 4 per cent. *ad valorem*, provided that they be not expressly exempted from payment of duty.

3. The articles specified in the annexed Schedule are exempted from payment of duty.

ARTIKEL II.

Die Einfuhr in das gemeinschaftliche Zollgebiet unterliegt folgenden Zöllen:—

1.

	Zollsatz in Deutschem Gelde.	Zollsatz in Englischem Gelde.
	M. pf.	s. d.
Gin, Brandy, Rum, Liqueure und Spirituosen oder alkoholische Flüssigkeiten jeder Art ohne Rücksicht auf den Markegrad per Liter	0 22	0 9½ der old wine gallon.
Tabak, per Kilogram	0 50	0 2½ das lb.
Pulver, per Pfund	0 50	0 6
Feuerwaffen, per Stück	2 00	2 0

2. Alle übrigen Einfuhrartikel unterliegen einem Einfuhrzoll von 4 Procent vom Werth, sofern sie nicht von der Verzollung ausdrücklich ausgenommen sind.

3. Die in der beigefügten Anhangstabelle aufgeführten Gegenstände sind von der Verzollung ausgenommen.

ARTICLE III.

Payment of duties may be made in German or English money. German and English small coin need only be accepted to the amounts of 20 marks or 1*l*.

ARTIKEL III.

Die Zahlung der Zölle kann in deutschem oder englischem Gelde erfolgen. Deutsche und englische Scheidemünzen brauchen nur in Höhe bis zu 20 M. oder 1*l*. angenommen zu werden.

ARTICLE IV.

The Contracting Powers expressly bind themselves to abstain from influencing the natives in any unjustifiable or arbitrary manner in regard to their choice of places of buying and selling, and they will use their best endeavours to prevent such pressure being applied by traders or others.

ARTIKEL IV.

Die vertragschliessenden Mächte verpflichten sich ausdrücklich, sich jeder ungerechtfertigten und willkürlichen Beeinflussung der Eingeborenen hinsichtlich der Wahl ihrer Einkaufs- und Verkaufsplätze zu enthalten, und werden Alles thun, um derartige Beeinflussung durch Händler oder andere Personen zu hindern.

ARTICLE V.

The new Customs system shall come into force simultaneously in the English and German territories; to wit, on and after the 1st May, 1894. It is introduced for the term of two years, and shall remain in force thereafter until either Contracting Party shall terminate the present Convention by giving six months' notice of their desire to do so.

ARTIKEL V.

Das neue Zollsistem tritt zu gleicher Zeit in den englischen und deutschen Gebieten in Kraft und zwar vom 1. Mai 1894 ab. Es wird für die Dauer von zwei Jahren eingeführt und soll darüber hinaus weiter in Kraft bleiben, bis einer der vertragschliessenden Theile den gegenwärtigen Vertrag löst, nachdem er 6 Monate vorher die Kündigung ausgesprochen hat.

In witness whereof the Undersigned, duly authorized by their respective Governments, have signed the present Convention, and have affixed thereto the seal of their arms.

Zu Urkund dessen haben die von Ihren Regierungen gehörig bevollmächtigten Unterzeichneten den vorliegenden Vertrag unterschrieben und ihre Siegel beigesetzt.

Done in duplicate, at Berlin, the 24th day of February, 1894.

Geschehen in doppelter Ausfertigung zu Berlin, den vier und zwanzigsten Februar 1894.

(L.S.)

EDWARD B. MALET.

(L.S.)

FREIHR. VON MARSCHALL.

Schedule of Articles exempted from Duty. (See Article 2, paragraph 3, of the Convention of February 24, 1894.)

Anchors and chains.
 Drugs and medicines.
 Bellows.
 Brooms.
 Bedding.
 Bitters, not being sweetened nor mixed with spirits.

Blue indigo.
 Books, newspapers, and printed matter.
 Brushes and combs.
 Chemicals.
 Steam-launches.
 Drain-pipes.
 Ironware for cooking purposes.

Paints.
 Flints.
 Filters.
 Flags.
 Fresh meat.
 Poultry.
 Purses and pocket-books.
 Safes and cash-boxes.
 Pictures.
 Coined money, legally current.

Glassware.
 Bells.
 Gravestones.
 India-rubber.
 Tools.
 Charcoal.
 Wood wares, excluding building materials and furniture.

Millinery.
 Quicksilver.
 Trunks.
 Hand-bags and dressing cases.
 Beef and pork.
 Oars.

Bags and sacks.
 Coffins.
 Salt.
 Seeds.
 Acids.

Schea butter.
 Umbrellas.
 Stationery.

Canvas.
 Trays, mirrors.
 Toys.

Spirits, rendered unfit for drinking, and not intended for fortifying other spirituous liquors.

Embroidery.

Instruments, surgical.

„ musical.
 „ scientific.

Tabelle der von der Verzollung befreiten Gegenstände. (Zu Artikel 2, No. 3, des Vertrages vom 24 Februar, 1894.)

Anker und Ketten.
 Arzeneien und Drogen.
 Blasebälge.
 Besen.
 Bettzeug.

Bittern, welche nicht mit Zucker oder Zuckersurrogaten versetzt oder mit Alkohol gemischt sind.

Blauer Indigo.
 Bücher, Zeitungen, und Drucksachen.
 Bürsten und Kämme.
 Chemikalien.
 Dampfboote.
 Drainröhren.

Eisenwaaren, welche zu Kochzwecken dienen.

Farben.
 Feuersteien.
 Filter.
 Flaggen.

Frisches Fleisch.
 Geflügel.
 Geldbörsen und Taschenbücher.
 Geldschränke und Kassetten.
 Gemälde.

Gemünztes zum Umlauf zugelassenes Geld.

Glaswaaren.
 Glocken.
 Grabsteine.

Gummi.
 Handwerkszeug.
 Holzkohlen.

Holzwaaren ausser Baumaterial und Möbeln.

Putzmacherwaaren.
 Quecksilber.
 Reisekoffer.
 Reisetaschen und Toilettekasten.
 Rind und Schweinefleisch.

Ruder.
 Säcke, kleine und grosse.
 Särge.

Salz.
 Sämereien.
 Säuren.

Scheabutter.
 Schirme.

Schreibmaterialien.

Segeltuch.
 Servirbretter, Spiegel.

Spielzeug.

Spiritus, der zum Genuss untauglich gemacht und nicht zum Verstärken anderer Spirituosen bestimmt ist.

Stickereien.

Instrumente, medizinische.

„ musikalische.
 „ wissenschaftliche.

Jewellery.
 Calabashes.
 Chalk.
 Chains.
 Clothing, passengers' personal.

Buttons.
 Couls.
 Confectionery.
 Corkwood.
 Lamps.
 Agricultural and gardening implements.
 Empty demijohns.
 Candles.
 Machines for mining and agricultural purposes.
 Masts.
 Mats.
 Mineral waters.
 Grindstones.
 Show cards.
 Needlework, sewing materials.
 Oil, except kerosene, and illuminating oils.
 Pitch and tar.
 Horses, mules, asses.
 Harness.
 Plants.
 Photographic apparatus and materials.
 Tarpaulins.
 Matches.
 Straw goods.
 Chairs.
 Molasses.
 Tallow.
 Clocks and watches.
 Educational appliances, imported with the sanction of the proper authority.
 Velocipedes.
 Cattle.
 Scales.
 Carriages and carts.
 Oakum.
 Shoe blacking.
 Goats and sheep.
 Every kind of article which is imported with the sanction of the Governor or Commissioner, as the case may be, in the public or official interest.

Coopers' stores, including casks, puncheon shooks, hoops, and rivets, or hooks required for making them up.

Juwelierwaaren.
 Kaläbaschen.
 Kalk.
 Ketten.
 Kleider, welche zum persönlichen Gebrauch von Reisenden bestimmt sind.
 Knöpfe.
 Kohlen.
 Konfekt.
 Korkholz.
 Lampen.
 Landwirthschaftliche und Garten Geräthe.
 Leere demijohns.
 Lichter.
 Maschinen für Bergwerks und landwirthschaftlichen Betrieb.
 Masten.
 Matten.
 Mineralwasser.
 Mühlsteine.
 Musterkarten.
 Nadelarbeit, Näthereien.
 Oel, ausser Petroleum und Brennöl.

Pech und Theer.
 Pferde, Maulthiere, Esel.
 Pferdegeschirr.
 Pflanzen.
 Photographische Apparate und Zubehör.
 Persennings (getheerte Leinwand).
 Streichhölzer.
 Strohwaaren.
 Stühlen.
 Syrup.
 Talg.
 Uhren jeder Art.
 Unterrichtsmittel, welche mit Genehmigung der Behörde eingeführt werden.
 Velocipede.
 Vieh.
 Waagschalen.
 Wagen und Karren.
 Werg.
 Wichse.
 Ziegen und Schafe.
 Alle Gegenstände, welche mit Genehmigung des Gouverneurs beziehungsweise Landeshauptmanns im öffentlichen oder dienstlichen Interesse eingeführt werden.
 Böttchereizerzeugnisse, Tonnen, Fassdauben, Reifen, Klammern und Haken zum Böttchereibetrieb.

TREATY SERIES. No. 4.

1894.

INTERNATIONAL SANITARY CONVENTION

SIGNED AT DRESDEN, APRIL 15, 1893,

AND

PROTOCOL RECORDING ACCESSION OF GREAT BRITAIN,
JULY $1\frac{3}{4}$, 1893.

Ratifications deposited at Berlin, February 1, 1894.

*Presented to both Houses of Parliament by Command of Her Majesty.
March 1894.*

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INTERNATIONAL SANITARY CONVENTION
SIGNED AT DRESDEN, APRIL 15, 1893,
AND PROTOCOL RECORDING ACCESSION
OF GREAT BRITAIN, JULY 1st, 1893.

Ratifications deposited at Berlin, February 1, 1894.

CONVENTION.

SA Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand; Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., &c., et Roi Apostolique de Hongrie; Sa Majesté le Roi des Belges; le Président de la République Française; Sa Majesté le Roi d'Italie; Son Altesse Royale le Grand-Duc de Luxembourg; Son Altesse le Prince de Monténégro; Sa Majesté la Reine des Pays-Bas et en son nom Sa Majesté la Reine-Régente du Royaume; Sa Majesté l'Empereur de Toutes les Russies; le Conseil Fédéral Suisse,

Ayant décidé d'établir des mesures communes pour sauvegarder la santé publique en temps d'épidémie cholérique, sans apporter d'entraves inutiles aux transactions commerciales et au mouvement des voyageurs, ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, M. le Comte Charles de Dönhoff, son Conseiller Intime Actuel et son Envoyé Extraordinaire et Ministre Plénipotentiaire à Dresde; M. Hopf, son Conseiller Intime Supérieur de Régence au Département de l'Intérieur; M. le Chevalier de Landmann, Conseiller Supérieur de Régence au Ministère Royal de l'Intérieur de Bavière; M. de Criegern, Conseiller Intime de Régence au Ministère Royal de l'Intérieur de Saxe; M. le Dr. Koch, Professeur à l'Université Royale de Berlin, son Conseiller Intime de Médecine, Membre Extraordinaire de l'Office Sanitaire Impérial; M. le Dr. Lehmann, son Conseiller de Légation au Département des Affaires Étrangères;

Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., &c., et Roi Apostolique de Hongrie, M. Hengelmüller de Hengervár, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Rio de Janeiro; M. le Chevalier de Gsiller, son Consul-Général, Délégué à la Commission Européenne du Danube; M. le Chevalier Dr. Kusý, Conseiller au Ministère Impérial Royal de l'Intérieur à Vienne; M. le Dr. Alexandre de Faschó-Moys, Conseiller au Ministère Royal Hongrois de l'Intérieur à Buda-Pesth; M. de Ebner, Conseiller de Section au Ministère Impérial Royal du

Commerce à Vienne; M. Charles de Vajkay, Ingénieur Supérieur des Chemins de Fer de l'État Hongrois;

Sa Majesté le Roi des Belges, M. E. Beco, Secrétaire-Général du Ministère de l'Agriculture, de l'Industrie, et des Travaux Publics;

Le Président de la République Française, M. Camille Barrère, Ministre Plénipotentiaire de Première Classe, Chargé d'Affaires de France à Munich; M. le Professeur Brouardel, Doyen de la Faculté de Médecine de Paris, Membre de l'Institut, Président du Comité Consultatif d'Hygiène Publique; M. le Professeur Proust, Membre de l'Académie de Médecine, Inspecteur-Général des Services Sanitaires;

Sa Majesté le Roi d'Italie, M. le Comte Curtopassi, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Bucarest; le Commandeur Pagliani, Docteur en Médecine, Professeur d'Hygiène à la Faculté de Médecine, Directeur de la Santé Publique, au Ministère de l'Intérieur;

Son Altesse Royale le Grand-Duc de Luxembourg, M. le Comte H. E. V. de Villers, son Chargé d'Affaires à Berlin;

Son Altesse le Prince de Monténégro, M. Hengelmüller de Hengervár, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur d'Autriche et Roi Apostolique de Hongrie;

Sa Majesté la Reine des Pays-Bas et en son nom Sa Majesté la Reine-Régente du Royaume, M. L. H. Ruysenaers, son Ministre Résident; M. le Dr. Ruysch, Conseiller au Ministère de l'Intérieur;

Sa Majesté l'Empereur de Toutes les Russies, M. Yonine, son Conseiller Privé et son Envoyé Extraordinaire et Ministre Plénipotentiaire;

Le Conseil Fédéral Suisse, M. le Colonel Dr. Roth, Envoyé Extraordinaire et Ministre Plénipotentiaire de la Confédération Suisse près l'Empire Allemand; M. le Dr. F. Schmid, Chef du Bureau Sanitaire Fédéral;

Lesquels, ayant échangé leurs pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:—

I.

En ce qui concerne la prophylaxie internationale applicable aux voyageurs et aux marchandises:

Seront appliquées désormais les mesures indiquées et précisées dans l'Annexe I de la présente Convention.

II

En ce qui touche le régime sanitaire de l'embouchure du Danube (Bouche de Soulina):

Sont adoptées les dispositions consignées dans l'Annexe II.

III.

Les pièces ci-annexées ont la même valeur que si elles étaient incorporées dans la présente Convention.

IV.

La présente Convention aura une durée de cinq ans à partir de la date de la ratification. Elle sera renouvelée de cinq en cinq ans par tacite reconduction, sauf dénonciation, dans une période de six mois avant l'expiration de ce terme par l'une des Hautes Parties Contractantes.

La dénonciation ne produira son effet qu'à l'égard du ou des pays qui l'auront notifiée. La Convention restera exécutoire pour les autres États. Les Hautes Parties Contractantes se réservent également la faculté de provoquer, par la voie des négociations diplomatiques, les modifications qu'elles jugeraient nécessaire d'introduire dans la Convention et ses Annexes.

La présente Convention sera ratifiée; les ratifications en seront déposées à Berlin le plus tôt possible et au plus tard dans le délai de six mois à dater du 15 Avril, 1893.

En foi de quoi, les Plénipotentiaires respectifs l'ont signée et y ont apposé leurs cachets.

Fait en dix exemplaires, à Dresde, le 15 Avril, 1893.

(L.S.)	Comte CHS. DE DÖNHOF.
(L.S.)	HOPF.
(L.S.)	ROBERT VON LANDMANN.
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(L.S.)	YONINE.
(L.S.)	ROTH.
(L.S.)	DR. SCHMID.

ANNEXES À LA CONVENTION.

Annexe I.

Titre I.—*Mesures destinées à tenir les Gouvernements Signataires de la Convention au courant de l'état d'une Épidémie de Choléra, ainsi que des moyens employés pour éviter sa propagation et son importation dans les endroits indemnes.*

Notification et Communications ultérieures.

Le Gouvernement du pays contaminé doit notifier aux divers Gouvernements l'existence d'un foyer cholérique. Cette mesure est essentielle.

Elle n'aura de valeur réelle que si celui-ci est prévenu lui-même des cas de choléra et des cas douteux survenus sur son territoire. On ne saurait donc trop recommander aux divers Gouvernements la déclaration obligatoire des cas de choléra par les médecins.

L'objet de la notification sera l'existence d'un foyer cholérique, l'endroit où il s'est formé, la date du début de ce foyer, le nombre des cas constatés cliniquement et celui des décès. Les cas restés isolés ne feront pas nécessairement l'objet d'une notification.

La notification sera faite aux Agences Diplomatiques ou Consulaires dans la capitale du pays contaminé. Pour les pays qui n'y sont pas représentés, la notification sera faite directement par télégraphe aux Gouvernements étrangers.

Cette première notification sera suivie de communications ultérieures données d'une façon régulière de manière à tenir les Gouvernements au courant de la marche de l'épidémie. Ces communications se feront au moins une fois par semaine.

Les renseignements sur le début et sur la marche de la maladie devront être aussi complets que possible. Ils indiqueront plus particulièrement les mesures prises en vue de combattre l'extension de l'épidémie. Ils devront préciser les mesures prophylactiques adoptées relativement :—

A l'inspection sanitaire ou à la visite médicale,

A l'isolement,

A la désinfection,

et les mesures prescrites au point de vue du départ des navires et de l'exportation des objets susceptibles.

Il est entendu que les pays limitrophes se réservent de faire des arrangements spéciaux en vue d'organiser un service d'informations directes entre les Chefs des Administrations des frontières.

Le Gouvernement de chaque État sera tenu de publier immédiatement les mesures qu'il croit devoir prescrire au sujet des

provenances d'un pays ou d'une circonscription territoriale contaminée.*

Il communiquera aussitôt cette publication à l'Agent Diplomatique ou Consulaire du pays contaminé, résidant dans sa capitale. A défaut d'Agence Diplomatique ou Consulaire dans la capitale, la communication se fera directement au Gouvernement du pays intéressé.

Il sera tenu également de faire connaître par les mêmes voies le retrait de ces mesures ou les modifications dont elles seraient l'objet.

Titre II.—*Conditions dans lesquelles une Circonscription territoriale doit être considérée comme contaminée ou saine.*

Est considérée comme contaminée toute circonscription où a été constatée officiellement l'existence d'un foyer de choléra.

N'est plus considérée comme contaminée toute circonscription dans laquelle un foyer a existé, mais où, après constatation officielle, il n'y a eu ni décès, ni cas nouveau de choléra depuis cinq jours, à condition que les mesures de désinfection nécessaires aient été exécutées.

Les mesures préventives seront appliquées au territoire contaminé à partir du moment où le début de l'épidémie aura été officiellement constaté.

Ces mesures cesseront d'être appliquées dès qu'il aura été officiellement constaté que la circonscription est redevenue saine.

Ne sera pas considéré comme donnant lieu à l'application de ces mesures le fait que quelques cas isolés, ne formant pas foyer, se sont manifestés dans une circonscription territoriale.

Titre III.—*Nécessité de limiter aux Circonscriptions territoriales contaminées les mesures destinées à empêcher la propagation de l'Épidémie.*

Pour restreindre les mesures aux seules régions atteintes, les Gouvernements ne doivent les appliquer qu'aux provenances des circonscriptions contaminées.

Mais cette restriction limitée à la circonscription contaminée ne devra être acceptée qu'à la condition formelle que le Gouvernement du pays contaminé prenne les mesures nécessaires pour prévenir l'exportation des objets susceptibles provenant de la circonscription contaminée.

* On entend par le mot "circonscription" une partie de territoire d'un pays placé sous une autorité administrative bien déterminée, ainsi : une province, un "gouvernement," un district, un département, un canton, une île, une commune, une ville, un village, un port, un polder, &c., quelles que soient l'étendue et la population de ces portions de territoire.

Quand une circonscription est contaminée, aucune mesure restrictive ne sera prise contre les provenances de cette circonscription, si ces provenances l'ont quitté cinq jours au moins avant le début de l'épidémie.

Titre IV.—*Marchandises ou Objets susceptibles envisagés au point de vue des défenses d'Importation ou de Transit—et de la Désinfection.*

I.—*Importation et Transit.*

Les seuls objets ou marchandises susceptibles, qui peuvent être prohibés à l'entrée, sont :—

1. Les linges de corps, hardes et vêtements portés (effets à usage) ; les literies ayant servi.

Lorsque ces objets sont transportés comme bagages ou à la suite d'un changement de domicile (effets d'installation), ils sont soumis à un régime spécial.

2. Les chiffons et drilles.

Ne doivent pas être interdits : (a) les chiffons comprimés par la force hydraulique, qui sont transportés comme marchandises en gros, par ballots cerclés de fer et portant des marques et des numéros d'origine acceptés par l'autorité du pays de destination ; (b) les déchets neufs, provenant directement d'ateliers de filature, de tissage, de confection, ou de blanchiment ; les laines artificielles ("kunstwolle," "shoddy"), et les rognures de papier neuf.

Le transit des marchandises ou objets susceptibles, emballés de telle façon qu'ils ne puissent être manipulés en route, ne doit pas être interdit.

De même, lorsque les marchandises ou objets susceptibles sont transportés de telle façon qu'en cours de route, ils n'aient pu être en contact avec des objets souillés, leur transit à travers une circonscription territoriale contaminée ne doit pas être un obstacle à leur entrée dans le pays de destination.

Les marchandises et objets susceptibles ne tomberont pas sous l'application des mesures de prohibition à l'entrée, s'il est démontré à l'autorité du pays de destination qu'ils ont été expédiés cinq jours au moins avant le début de l'épidémie.

Il n'est pas admissible que les marchandises puissent être retenues en quarantaine, aux frontières de terre. La prohibition pure et simple ou la désinfection sont les seules mesures qui puissent être prises.

II.—*Désinfection.*

Bagages.—La désinfection sera obligatoire pour le linge sale, les hardes, vêtements, et objets qui font partie de bagages ou de mobiliers (effets d'installation), provenant d'une circonscription territoriale déclarée contaminée et que l'autorité Sanitaire locale considérera comme contaminés.

Marchandises.—La désinfection ne sera appliquée qu'aux marchandises et objets que l'autorité Sanitaire locale considérera comme contaminés, ou à ceux dont l'importation peut être défendue.

Il appartient à l'autorité du pays de destination de fixer le mode et l'endroit de la désinfection.

La désinfection devra être faite de manière à ne détériorer les objets que le moins possible.

Il appartient à chaque État de régler la question relative au paiement éventuel de dommages-intérêts résultant d'une désinfection.

Les lettres et correspondances, imprimés, livres, journaux, papiers d'affaires, &c. (non compris les colis-postaux) ne seront soumis à aucune restriction ni désinfection.

Titre V.—*Mesures à prendre aux Frontières terrestres. Service des Chemins de Fer. Voyageurs.*

Les voitures affectées au transport des voyageurs, de la poste, et des bagages ne peuvent être retenues aux frontières.

S'il arrive qu'une de ces voitures soit souillée, elle sera détachée du train pour être désinfectée, soit à la frontière, soit à la station d'arrêt la plus rapprochée, lorsque la chose sera possible.

Il en sera de même pour les wagons à marchandises.

Il ne sera plus établi de quarantaines terrestres.

Seuls, les malades cholériques et les personnes atteintes d'accidents cholériformes peuvent être retenus.

Il importe que les voyageurs soient soumis, au point de vue de leur état de santé, à une surveillance de la part du personnel des chemins de fer.

L'intervention médicale se bornera à une visite des voyageurs et aux soins à donner aux malades.

S'il y a visite médicale, elle sera combinée, autant que possible, avec la visite douanière, de façon que les voyageurs soient retenus le moins longtemps possible.

Dès que les voyageurs venant d'un endroit contaminé seront arrivés à destination, il serait de la plus haute utilité de les soumettre à une surveillance de cinq jours à compter de la date du départ.

Les mesures concernant le passage aux frontières du personnel des chemins de fer et de la poste sont du ressort des Administrations intéressées. Elles seront combinées de façon à ne pas entraver le service régulier.

Les Gouvernements se réservent le droit de prendre des mesures particulières à l'égard de certaines catégories de personnes, notamment envers :

(a.) Les bohémiens et les vagabonds.

(b.) Les émigrants et les personnes voyageant ou passant la frontière par troupes.

Titre VI.—*Régime spécial des Zones-Frontière.*

Le règlement du trafic-frontière et des questions inhérentes à ce trafic ainsi que l'adoption de mesures exceptionnelles de surveillance doivent être laissés à des arrangements spéciaux entre les États limitrophes.

Titre VII.—*Voies Fluviales. Fleuves, Canaux, et Lacs.*

On doit laisser aux Gouvernements des États riverains le soin de régler, par des arrangements spéciaux, le régime sanitaire des voies fluviales.

On recommande les Règlements Allemands édictés en 1892, dont l'application a donné de bons résultats.

Titre VIII.—*Partie Maritime.—Mesures à prendre dans les Ports.*

Est considéré comme *infecté* le navire qui a du choléra à bord ou qui a présenté des cas nouveaux de choléra depuis sept jours.

Est considéré comme *suspect* le navire à bord duquel il y a eu des cas de choléra au moment du départ ou pendant la traversée mais aucun cas nouveau depuis sept jours.

Est considéré comme *indemne*, bien que venant d'un port contaminé, le navire qui n'a eu ni décès ni cas de choléra à bord, soit avant le départ, soit pendant la traversée, soit au moment de l'arrivée.

Les navires infectés sont soumis au régime suivant :—

1. Les malades sont immédiatement débarqués et isolés ;
2. Les autres personnes doivent être également débarquées, si possible, et soumises à une observation, dont la durée variera selon l'état sanitaire du navire et selon la date du dernier cas, sans pouvoir dépasser cinq jours ;
3. Le linge sale, les effets à usage et les objets de l'équipage et des passagers, qui de l'avis de l'autorité Sanitaire du port, seront considérés comme contaminés, seront désinfectés, ainsi que le navire ou seulement la partie du navire qui a été contaminée.

Les navires suspects sont soumis aux mesures ci-après :—

1. Visite médicale ;
2. Désinfection : Le linge sale, les effets à usage et les objets de l'équipage et des passagers, qui, de l'avis de l'autorité Sanitaire locale, seront considérés comme contaminés, seront désinfectés ;
3. Évacuation de l'eau de la cale après désinfection et substitution d'une bonne eau potable à celle qui est emmagasinée à bord.

Il est recommandé de soumettre à une surveillance, au point de vue de leur état de santé, l'équipage et les passagers pendant cinq jours à dater de l'arrivée du navire.

Il est également recommandé d'empêcher le débarquement de l'équipage, sauf pour raisons de service.

Les navires indemnes seront admis à la libre pratique immédiate quelle que soit la nature de leur patente.

Le seul régime que peut prescrire à leur sujet l'autorité du port d'arrivée, consiste dans les mesures applicables aux navires suspects (visite médicale, désinfection, évacuation de l'eau de cale, et substitution d'une bonne eau potable à celle qui est emmagasinée à bord).

Il est recommandé de soumettre à une surveillance, au point de vue de leur état de santé, les passagers et l'équipage pendant cinq jours à compter de la date où le navire est parti du port contaminé.

Il est recommandé également d'empêcher le débarquement de l'équipage, sauf pour raisons de service.

Il est entendu que l'autorité compétente du port d'arrivée pourra toujours réclamer un certificat attestant qu'il n'y a pas eu de cas de choléra sur le navire au port de départ.

L'autorité compétente du port tiendra compte, pour l'application de ces mesures, de la présence d'un médecin et d'un appareil de désinfection (étuve) à bord des navires des trois catégories susmentionnées.

Des mesures spéciales peuvent être prescrites à l'égard des navires encombrés, notamment des navires d'émigrants ou de tout autre navire offrant de mauvaises conditions d'hygiène.

Les marchandises arrivant par mer ne peuvent être traitées autrement que les marchandises transportées par terre, au point de vue de la désinfection et des défenses d'importation, de transit et de quarantaine. (Voir titre IV.)

Tout navire qui ne voudra pas se soumettre aux obligations imposées par l'autorité du port sera libre de reprendre la mer.

Il pourra être autorisé à débarquer ses marchandises, après que les précautions nécessaires auront été prises, à savoir :—

1. Isolement du navire, de l'équipage et des passagers ;
2. Évacuation de l'eau de la cale, après désinfection ;
3. Substitution d'une bonne eau potable à celle qui était emmagasinée à bord.

Il pourra également être autorisé à débarquer les passagers qui en feraient la demande à la condition que ceux-ci se soumettent aux mesures prescrites par l'autorité locale.

Chaque pays doit pourvoir au moins un des ports du littoral de chacune de ses mers d'une organisation et d'un outillage suffisants pour recevoir un navire, quel que soit son état sanitaire.

Les bateaux de cabotage feront l'objet d'un régime spécial à établir d'un commun accord entre les pays intéressés.

Certifié conforme à l'original :

Le Président :

(Signé) Comte CHS. DE DÖNHOF.

Les Secrétaires :

(Signé)

Baron DE FRIESEN.

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSEN.

Comte E. D'ARCO VALLEY.

Annexe II.

Mesures à prendre à l'égard des Navires provenant d'un Port contaminé et remontant le Danube.

En attendant que la ville de Soulina soit pourvue d'une bonne eau potable, les bateaux qui remontent le fleuve devront être soumis à une hygiène rigoureuse.

L'encombrement des passagers sera strictement interdit.

I.—*Mesures à prendre à Soulina.*

Les bateaux entrant en Roumanie par le Danube seront retenus jusqu'à la visite médicale et jusqu'à parachèvement des opérations de désinfection.

Les bateaux se présentant à Soulina devront subir, avant de pouvoir remonter le Danube, une ou plusieurs visites médicales sérieuses faites de jour. Chaque matin, à une heure indiquée, le médecin s'assurera de l'état de santé de tout le personnel du bateau et ne permettra l'entrée que s'il constate la santé parfaite de tout le personnel. Il délivrera au capitaine ou au batelier un passeport Sanitaire ou patente, ou certificat dont la production sera exigée aux garages ultérieurs.

Il y aura une visite chaque jour. La durée de l'arrêt à Soulina des navires non infectés ne dépassera pas trois jours. La désinfection des linges contaminés sera effectuée dès l'arrivée.

On substituera une eau potable de bonne qualité à l'eau douteuse qui pourrait être à bord.

L'eau de la cale sera désinfectée.

Les mesures qui viennent d'être indiquées ne seront applicables qu'aux provenances de ports qui sont le siège d'un foyer cholérique.

Il est bien entendu qu'un navire provenant d'un port non contaminé—c'est-à-dire d'un port qui n'est pas le siège d'un foyer—pourra, s'il ne veut pas être soumis aux mesures restrictives précédemment indiquées, ne pas accepter les voyageurs venant d'un port contaminé.

Il y a lieu de perfectionner à Soulina l'établissement Sanitaire, de le pourvoir de l'outillage moderne comme moyens de désinfection et de le compléter de façon à ce qu'on puisse débarquer et isoler les malades provenant d'un navire infecté, ainsi que les autres passagers.

II.—*Mesures à prendre sur les Bords du Fleuve.*

Des postes Sanitaires de moindre importance devront être installés sur les bords du fleuve de façon à pouvoir débarquer des malades s'il s'en trouve à bord ; les postes devront être pourvus de bonne eau potable et des moyens de désinfection nécessaires. Une

entente doit être établie à cet égard entre le Gouvernement Russe et le Gouvernement Roumain.

Un médecin sera attaché à chaque poste Sanitaire ou à chaque point de relâche important.

Dans chaque station, une chambre convenablement isolée devra être préparée.

Tous les bateaux subiront en passant devant ces postes la visite médicale. S'il y a des malades ou des suspects, ils seront débarqués et isolés.

Les autres personnes devront être également débarquées et isolées pendant cinq jours.

Les cabines, dortoirs, et autres endroits contaminés, le linge, les hardes, et objets souillés seront désinfectés; il en sera de même de la cale; une bonne eau potable sera substituée à l'eau douteuse du bord.

Pour les bateaux dans lesquels il n'y aura ni malade ni suspect, on désinfectera les cabinets et la cale, et on substituera une bonne eau potable à celle qui est à bord et qui pourrait être mauvaise.

Après la visite médicale, on donnera au capitaine ou au chef de l'équipage un certificat indiquant les précautions qui ont été prises et les désinfections qui ont été effectuées; ce certificat précisera en outre le nombre des passagers et des hommes de l'équipage.

Ce certificat devra être présenté dans les différents postes.

Lorsque le bateau abordera une nouvelle circonscription, il subira une nouvelle visite médicale.

La cale sera de nouveau désinfectée, à moins que l'eau ne renferme encore d'une façon non douteuse le mercure ou la chaux à l'état alcalin.

Certifié conforme à l'original :

Le Président :

(Signé) Comte CHS. DE DÖNHOF.

Les Secrétaires :

(Signé)

Baron DE FRIESEN.

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSEN.

Comte E. D'ARCO VALLEY.

(Translation.)

CONVENTION.

His Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire; His Majesty the Emperor of Austria, King of Bohemia, &c., &c., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the French Republic; His Majesty the King of Italy; His Royal Highness the Grand Duke of Luxemburg; His Highness

the Prince of Montenegro; Her Majesty the Queen of the Netherlands, and in her name the Queen-Regent of the Kingdom; His Majesty the Emperor of All the Russias; the Swiss Federal Council;

Having decided to establish in common measures for protecting public health during cholera epidemics without uselessly obstructing commercial transactions and passenger traffic, have named as their Plenipotentiaries, namely:—

His Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire, Count Charles von Dönhoff, his Real Privy Councillor and Envoy Extraordinary and Minister Plenipotentiary at Dresden; M. Hopf, his Superior Privy Councillor of Government in the Home Department; the Chevalier von Landmann, Superior Councillor of Government in the Home Department of Bavaria; M. von Criegern, Privy Councillor of Government in the Home Department of Saxony; Dr. Koch, Professor at the Royal University of Berlin, his Privy Councillor of Medicine, Extraordinary Member of the Imperial Sanitary Department; Dr. Lehmann, his Councillor of Legation in the Foreign Department.

His Majesty the Emperor of Austria, King of Bohemia, &c., &c., and Apostolic King of Hungary, M. Hengelmüller de Hengervár, his Envoy Extraordinary and Minister Plenipotentiary at Rio de Janeiro; the Chevalier de Gsiller, his Consul-General, Delegate to the European Commission of the Danube; the Chevalier Dr. Kusý, Councillor in the Ministry of the Interior at Vienna; Dr. Alexander Faschó-Moys, Councillor in the Hungarian Ministry of the Interior at Buda-Pesth; M. de Ebner, Councillor of a Department in the Imperial-Royal Ministry of Commerce at Vienna; M. Charles de Vajkay, Superior Engineer of the Hungarian State Railways.

His Majesty the King of the Belgians, M. E. Beco, Secretary-General of the Ministry of Agriculture, Industry, and Public Works.

The President of the French Republic, M. Camille Barrère, Minister Plenipotentiary of the First Class, Chargé d'Affaires for France at Munich; Professor Brouardel, Dean of the Faculty of Medicine at Paris, Member of the Institute, President of the Consultative Committee of Public Hygiene; Professor Proust, Member of the Academy of Medicine, Inspector-General of Sanitary Services.

His Majesty the King of Italy, Count Curtopassi, his Envoy Extraordinary and Ministry Plenipotentiary at Bucharest; Commander Pagliani, Professor of Hygiene at the Faculty of Medicine, Director of the Department of Public Health in the Ministry of the Interior.

His Royal Highness the Grand Duke of Luxemburg, Count H. E. V. de Villers, his Chargé d'Affaires at Berlin.

His Highness the Prince of Montenegro, M. Hengelmüller de Hengervár, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Austria and Apostolic King of Hungary.

13

Her Majesty the Queen of the Netherlands, and, in her name, the Queen-Regent of the Kingdom, M. L. H. Ruyssenaers, her Minister Resident; Dr. Ruysch, Councillor in the Ministry of the Interior.

His Majesty the Emperor of All the Russias, M. Yonine, his Privy Councillor, and his Envoy Extraordinary and Minister Plenipotentiary.

The Swiss Federal Council, Colonel Dr. Roth, Envoy Extraordinary and Minister Plenipotentiary accredited by the Swiss Confederation to the German Empire; Dr. F. Schmid, Head of the Federal Sanitary Department.

Who, having exchanged their powers, found in good and due form, have agreed on the following provisions:—

I.

As regards international preventive measures applicable to travellers and to merchandize:

The measures indicated and laid down in Annex I of the present Convention shall henceforth be applied.

II.

As regards the Sanitary Regulations at the mouth of the Danube (Sulina Mouth):

The provisions laid down in Annex II shall be applied.

III.

The documents annexed to the present Convention shall have the same force as if they were incorporated with it.

IV.

The present Convention shall have a duration of five years from the date of ratification. It shall be renewed from five years to five years, *ipso facto*, by absence of denunciation by the Contracting Parties ("par tacite reconduction, sauf dénonciation") within six months of the expiration of that period.

The denunciation will take effect only as regards the country or countries denouncing the Convention. It will be binding on the remaining States. The High Contracting Parties reserve the right to propose, by the diplomatic channel, any alterations they may wish to make in the Convention.

The present Convention shall be ratified; the ratifications shall

be exchanged or deposited at Berlin as soon as possible, and at latest within six months from the 15th April, 1893.

In faith whereof the Plenipotentiaries have signed it and sealed it.

Done in ten copies at Dresden, the 15th April, 1893.

(L.S.)	Comte CHS. DE DÖNHOF.
(L.S.)	HOPF.
(L.S.)	ROBERT VON LANDMANN.
(L.S.)	FRIEDRICH VON CRIEGER.
(L.S.)	R. KOCH.
(L.S.)	LEHMANN.
(L.S.)	HENGELMÜLLER.
(L.S.)	GSILLER.
(L.S.)	DR. EM. KUSÝ.
(L.S.)	FASCHÓ-MOYS.
(L.S.)	EBNER.
(L.S.)	VAJKAY.
(L.S.)	E. BECO.
(L.S.)	CAMILLE BARRÈRE.
(L.S.)	P. BROUARDEL.
(L.S.)	A. PROUST.
(L.S.)	Comte CURTOPASSI.
(L.S.)	L. PAGLIANI.
(L.S.)	H. DE VILLERS.
(L.S.)	HENGELMÜLLER.
(L.S.)	L. H. RUYSSSENAFRS.
(L.S.)	DR. RUYSCH.
(L.S.)	YONINE.
(L.S.)	ROTH.
(L.S.)	DR. SCHMID.

True copy :

The President :

(Signed) Comte CHS. DE DÖNHOF,

The Secretaries :

(Signed) Baron DE FRIESEN.
 MAX STÄVIE.
 HENRY ALLIZÉ.
 Comte N. SZÉCSEN.
 Comte E. D'ARCO VALLEY.

ANNEXES TO THE CONVENTION.

Annex I.

Chapter I.—*Measures for keeping the Governments Parties to the Convention informed of the progress of an Epidemic of Cholera, and of the means adopted to prevent its Spread and its Importation into healthy Districts.*

Notification and subsequent Communications.

THE Government of a contaminated country shall notify to the various Governments the existence of a cholera focus. This measure is essential.

It will be of no value unless the Government itself is made aware of cases of cholera and doubtful cases occurring in its territory. The obligatory notification of cases of cholera by doctors cannot be too strongly recommended to the various Governments.

The subject of the notification shall be the existence of a cholera focus, the place where it has appeared, the date of its commencement, the number of cases ascertained clinically, and the number of deaths. Isolated cases do not necessarily form the subject of a notification.

The notification shall be made to the Diplomatic or Consular Agencies in the capital of the contaminated country. In the case of countries not represented at the capital, the notification shall be made directly by telegraph to the foreign Governments.

This first notification shall be followed by subsequent communications, made regularly and in such manner as to keep the Governments informed as to the progress of the epidemic. These communications shall be made at least once a-week.

The information on the beginning and on the progress of the disease, shall be as full as possible. It shall show especially the measures taken to stop the spread of the epidemic. It shall state distinctly what preventive measures have been adopted in regard to:—

Sanitary or medical inspection,
Isolation,
Disinfection,

and the measures provided in the case of the departure of ships, and the exportation of susceptible goods.

It is understood that neighbouring countries may make special arrangements for the communication of information directly between the Heads of the frontier services.

The Government of each State shall immediately publish the

measures taken with regard to persons or things coming from a contaminated country or territorial district.*

The Government shall at once communicate this publication to the Diplomatic or Consular Agent of the contaminated country resident in the capital of the country where the publication is made. Should there be neither Diplomatic nor Consular Agency in the capital, the communication shall be made directly to the Government of the interested country.

The Government shall also make known in the same manner the withdrawal of the measures in question, or any alterations made in them.

Chapter II.—*Conditions under which a Territorial District shall be considered contaminated or healthy.*

A district is held to be contaminated when a cholera focus has been officially ascertained to exist within it.

A district in which a cholera focus has existed ceases to be held to be contaminated when it is officially ascertained that there has been no death from cholera and no new case for five days, provided always that the necessary measures of disinfection have been taken.

The preventive measures shall be applied to the contaminated territory from the moment the epidemic has been officially ascertained to exist.

These measures shall cease to be applied as soon as it is officially ascertained that the district is again healthy.

The fact that a few isolated cases, not constituting a cholera focus, have occurred in a district, does not involve the application of the measures in question.

Chapter III.—*Necessity of limiting to contaminated Districts the application of the Measures intended to prevent the spread of the Epidemic.*

To restrict the application of the measures to those districts alone which have been attacked, the Governments concerned should apply those measures solely to persons and goods from the contaminated districts.

But this limitation to the contaminated district should only be accepted on the formal condition that the Government of the contaminated country takes the measures necessary for preventing the exportation of susceptible objects from the contaminated district.

* By "district" is understood a portion of the territory of a country placed under a definite administrative authority, such as: a province, a "government," a district, a department, a canton, an island, a commune, a town, a village, a port, a "polder," &c., whatever may be the extent and the population of such portions of territory.

When a district is contaminated no restrictive measures shall be taken against persons and goods from such district, if they left it five days at least before the beginning of the epidemic.

Chapter IV.—*Merchandize or Goods which are to be considered as susceptible in view of prohibitions of Importation or of Transit—and of Disinfection.*

I.—*Importation and Transit.*

The only susceptible goods or merchandize the importation of which may be prohibited are:—

1. Body linen, rags ("hardes") and clothes which have been worn (clothing—"effets à usage"); used bedding.

When these goods are transported as luggage or on change of house (household removals), they are subject to special regulations.

2. Rags ("chiffons et drilles").

The following may not be prohibited: (a) rags compressed by hydraulic force, transported as wholesale merchandize in bales surrounded by iron bands, and with marks and numbers showing their origin, and accepted as such by the authorities of the country of destination; (b) clean clippings ("déchets neufs") coming directly from spinning, weaving, making up, or bleaching establishments; artificial wool ("Kunstwolle," "shoddy"), and fresh paper shavings.

The transit of susceptible merchandize or goods, so packed that they cannot be handled on the way, shall not be prohibited.

When susceptible merchandize or goods is so transported that it cannot, in transit, have been in contact with soiled goods, its transit through a contaminated district shall not be an obstacle to its entry into the country of destination.

The importation of susceptible merchandize and goods shall not be prohibited, if it is proved to the authorities of the country of destination that such merchandize or goods were dispatched five days at least before the beginning of the epidemic.

Merchandize may not be retained in quarantine at land frontiers. Prohibition, pure and simple, or disinfection, are the only measures which may be taken.

II.—*Disinfection.*

Luggage.—Disinfection is obligatory for dirty linen, rags ("hardes"), clothes, and other goods, forming part of luggage or furniture (household removals), coming from a district declared to be contaminated, which luggage, &c., the local Sanitary authority may consider to be contaminated.

Merchandize.—Disinfection shall only be applied to such

merchandize and goods as the local Sanitary authority may consider contaminated, or to such merchandize and goods as might [otherwise] be prohibited from importation.

The authorities of the country of destination shall settle the mode and place of disinfection.

Disinfection shall be carried out in such a manner as to damage goods as little as possible.

It is left to each State to settle the question of compensation due in consequence of disinfection.

Letters and correspondence, printed matter, books, newspapers, business documents, &c. (not including postal parcels), are not subject to any restriction or disinfection.

Chapter V.—*Mesures at Land Frontiers. Railways. Travellers.*

Passenger, postal and goods rolling stock shall not be detained at the frontiers.

If a carriage is soiled, it shall be detached from the train in order to be disinfected, either at the frontier, or at the nearest stopping station, if possible.

Goods rolling stock shall be treated in the same manner.

There shall be no land quarantines.

Persons suffering from cholera, and those having cholera-like symptoms, may alone be detained.

The railway staff should maintain a watch on travellers' health.

Medical intervention shall be limited to an inspection of the travellers, and to the care of the sick.

It would be most useful to submit travellers coming from a contaminated place to supervision during five days from the date of departure, when they reach their destination.

Regulations respecting the passage of the frontier by the staff of the Railway and Postal Administrations shall be settled by the authorities interested. The Regulations shall be arranged so as not to interfere with the Services concerned.

The Governments reserve power to take special measures in the case of certain categories of persons, namely:—

(a.) Gipsies and vagrants.

(b.) Emigrants, and persons passing the frontier in numbers.

Chapter VI.—*Special Regulations for Frontier Zones.*

The regulation of the frontier traffic, and of the questions involved by that traffic, as well as the adoption of exceptional measures of supervision, shall be settled by special arrangements between the frontier States.

Chapter VII.—*River Traffic. Rivers, Canals, and Lakes.*

The Sanitary Regulations for river traffic shall be settled by special arrangements between the Governments of the riparian States.

The German Regulations issued in 1892, which produced good results, are recommended [as a model].

Chapter VIII.—*Maritime Part.—Measures to be taken in Ports.*

A ship having cholera on board, or having had fresh cases of cholera on board, within seven days, is an *infected* ship.

A ship having had cases of cholera on board at the time of departure or during the passage, but no fresh case within seven days, is a *suspected* ship.

A ship having had neither a death from, nor a case of, cholera on board, before departure, during the passage, or on arrival, even though she come from an infected port, is a *healthy* ship.

Infected ships are subject to the following treatment:—

1. The sick are immediately disembarked and isolated.
2. The remaining persons on board are also to be disembarked, if possible, and to be submitted to an observation, the duration of which shall vary according to the sanitary condition of the ship and the date of the last case, but such observation shall not exceed five days.

3. Dirty linen, clothing ("effets à usage"), and goods belonging to the crew and passengers, which, in the opinion of the port Sanitary authority, are held to be contaminated, shall be disinfected, as well as the ship, or only the part of the ship which has been contaminated.

Suspected ships are subject to the following measures:—

1. Medical inspection.
2. Disinfection; dirty linen, clothing ("effets à usage"), and goods belonging to the crew and passengers, which, in the opinion of the local Sanitary authority, are held to be contaminated, shall be disinfected.
3. Evacuation of the bilge after disinfection, and substitution of good drinking water for that which is on board.

It is recommended that the crew and the passengers be subject, for five days after the arrival of the ship, to supervision as regards their health.

It is also recommended that the crew and passengers do not disembark except on business.

Healthy ships are immediately admitted to free pratique, whatever may be the nature of their bill of health.

The only treatment to which they may be subjected by the authorities of the port of arrival consists in the measures applicable to suspected ships (medical inspection, disinfection, evacuation of

the bilge and substitution of good drinking-water for that which is on board).

It is recommended that the crew and the passengers be subject, for five days after the date on which the ship left the contaminated port, to supervision as regards their health.

It is also recommended that the crew and passengers do not disembark except on business.

It is understood that the competent authority of the port of arrival may require a certificate to show that no case of cholera occurred on board at the port of departure.

In applying these measures, the competent authority of the port shall make due allowance for the presence on board ships of the three above-mentioned classes of a doctor and disinfecting apparatus ("étuve").

Special measures may be taken with regard to crowded ships, particularly in the case of any ship in a bad sanitary condition.

So far as regards disinfection, prohibitions of importation, transit, and quarantine, merchandize arriving by sea may not be treated otherwise than merchandize arriving by land. (See Chapter IV.)

If a ship is unwilling to submit to the obligations imposed by the authority of the port, she shall be free to put to sea again.

Such a ship may disembark her merchandize after the necessary precautions have been taken, namely:—

1. Isolation of the ship, crew, and passengers.
2. Evacuation of the bilge after disinfection.

3. Substitution of good drinking water for the water stored on board.

She may also be allowed to disembark such passengers as ask to be disembarked, provided they submit to the measures prescribed by the local authorities.

Every country shall furnish one of the ports on the shores of each of its seas with the organization and appliances required for receiving any ship, whatever be its sanitary condition.

Coasting ships will form the subject of special Regulations to be established under common agreement between the interested countries.

The President:

(Signed) Comte CHS. DE DÖNHOF.

True copy:

The Secretaries:

(Signed)

Baron DE FRIESEN.

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSEN.

Comte E. D'ARCO VALLEY.

Annex II.

Measures to be taken with regard to Ships coming from a contaminated Port and sailing up the Danube.

Until the town of Sulina is supplied with good drinking-water, ships going up the river shall be maintained in a severely hygienic condition.

Any crowding of passengers shall be strictly prohibited.

I.—Measures to be taken at Sulina.

Ships entering Roumania by the Danube shall be detained until the medical visit and the operations of disinfection have been carried out.

Ships arriving at Sulina must, before going up the Danube, undergo one or more careful medical visits by day. Each morning, at a fixed hour, the doctor shall satisfy himself as to the health of every one on board, and shall not let the ship enter the Danube unless he finds that all are perfectly well. He will deliver to the master a sanitary passport or patent, or certificate, which shall be demanded at the subsequent stopping places.

There shall be a medical visit every day. The stay of non-infected ships at Sulina shall not exceed three days. Contaminated linen shall be disinfected on arrival.

Drinking-water of good quality shall be supplied in the place of any doubtful water which may be on board.

The bilge water shall be disinfected.

The above-mentioned measures shall only be applied to ships from ports where there is a cholera focus.

It is understood that a ship from a non-contaminated port—that is to say, from a port where there is no cholera focus—may, in order not to be liable to the above-mentioned restrictions, refuse to embark passengers from a contaminated port.

The sanitary establishment at Sulina should be improved, and should be furnished with modern appliances for disinfection, and should be so completed that the sick from an infected ship may be disembarked and isolated, as also the other passengers.

II.—Measures to be taken on the Banks of the River.

Minor sanitary stations shall be established on the banks of the river so that any sick on board may be landed; these stations shall be provided with good drinking water and with the necessary means of disinfection. An understanding should be come to on this matter between the Russian Government and the Roumanian Government.

A doctor shall be attached to each sanitary station or to each important stopping place.

A properly isolated room shall be prepared at each station.

All the ships shall be medically visited on passing these stations. If there are sick persons on board, or persons suspected of being sick, they shall be disembarked and isolated.

The remaining persons shall also be disembarked and isolated for five days.

The cabins, berths, and other contaminated parts [of the ship], soiled linen, rags ["hardes"], and other things shall be disinfected; the bilge hold shall be similarly treated; good drinking water shall be substituted for the doubtful water on board.

In the case of ships on board of which there are neither sick persons nor persons suspected of being sick, the latrines and the bilge hold shall be disinfected and good drinking water shall be substituted for any drinking water on board which may be bad.

After the medical visit there shall be given to the master or head of the crew a certificate showing what precautions and what measures of disinfection have been taken; this certificate shall also show the number of passengers and of persons forming the crew.

This certificate must be shown at the different stations.

When the ship enters another district, she shall be again medically visited.

The bilge hold shall be again disinfected unless the water in it contains mercury or lime in a distinctly alkaline state.

The President:

(Signed) Comte CHS. DE DÖNHOF.

True copy:

The Secretaries:

(Signed)

Baron DE FRIESEN.

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSÉN.

Comte E. D'ARCO VALLEY.

PROTOCOLE D'ADHÉSION.

La Conférence Sanitaire Internationale de Dresde, lors de la signature de la Convention dans la séance du 15 Avril, 1893, a décidé qu'un Protocole d'Adhésion resterait ouvert pour les Puissances dont les Représentants n'ont pas été à même de signer cette Convention.

En conséquence, Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, désirant faire usage de cette faculté, a nommé Plénipotentiaires :

Mr. Strachey, son Ministre Résident à Dresde ;

M. le Dr. Thorne Thorne, C.B., Chef de la Section Médicale du Local Government Board à Londres ;

Mr. H. Farnall, C.M.G., Secrétaire au Foreign Office à Londres ;

Lesquels, après avoir déposé leurs pleins pouvoirs trouvés en bonne et due forme, ont déclaré ce qui suit :—

Le Royaume-Uni de la Grande-Bretagne et d'Irlande adhère à la Convention Sanitaire Internationale, conclue à Dresde le 15 Avril, 1893, et à ses Annexes, sous la réserve toutefois que, dans le Royaume-Uni, les personnes bien portantes qui arrivent à bord d'un navire infecté ne soient pas soumises à une observation, mais seulement à une surveillance médicale dans leur domicile.

Le Secrétaire d'État au Département Impérial Allemand des Affaires Étrangères M. le Baron Marschall de Bieberstein, accepte au nom des Puissances Signataires de la Convention, cette Déclaration d'Adhésion et constate en même temps que les Gouvernements Signataires ont consenti à la réserve faite ci-dessus.

En foi de quoi le présent Protocole a été dressé à ^{Londres} ~~Berlin~~ le $\frac{1}{2}$ Juillet, 1893.

(Signé)

G. STRACHEY.
R. THORNE THORNE.
H. FARNALL.
Baron MARSCHALL.

(Translation.)

PROTOCOL OF ADHESION.

THE International Sanitary Conference of Dresden decided, on signing the Convention during the meeting of the 15th April, 1893, that a Protocol of Adhesion should be accessible to the Powers whose Representatives were not then able to sign that Convention.

Therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, desirous of making use of the powers so reserved, has named as Plenipotentiaries :

Mr. Strachey, her Minister Resident at Dresden ; Dr. Thorne Thorne, C.B., Principal Medical Officer to the Local Government Board in London ; and Mr. H. Farnall, C.M.G., a Clerk in the Foreign Office in London,

Who, after having deposited their full powers, found in good and proper form, have declared as follows :—

The United Kingdom of Great Britain and Ireland accedes to the International Sanitary Convention concluded at Dresden on the 15th April, 1893, and to the Annexes thereto, with the reservation that in the United Kingdom healthy persons from infected ships shall not be subjected to observation, but only to medical supervision in their own homes.

Baron Marschall von Bieberstein, Secretary of State in the Imperial German Department for Foreign Affairs, accepts this declaration of adhesion in the name of the Powers that have signed the Convention, and records at the same time that the Signatory Governments allow the above-stated reservation.

In faith whereof the present Protocol has been prepared in
London
Berlin, the 1st/₂th July, 1893.

(Signed)

G. STRACHEY.
 R. THORNE THORNE.
 H. FARNALL.
 Baron MARSCHALL.

Procès-Verbal.

LE délai prévu pour le dépôt des ratifications dans l'Article IV de la Convention Sanitaire de Dresde du 15 Avril, 1893, ayant du être prolongé, les Soussignés, savoir : son Excellence M. le Baron Marschall de Bieberstein, Secrétaire d'État au Département des Affaires Étrangères d'Allemagne ; son Excellence M. de Szögyény-Marich, Ambassadeur d'Autriche-Hongrie ; M. le Baron Greindl, Ministre de Belgique ; son Excellence M. Herbette, Ambassadeur de France ; son Excellence Sir Edward Malet, Ambassadeur de la Grande-Bretagne et d'Irlande ; son Excellence M. le Comte Lanza, Ambassadeur d'Italie ; M. le Comte de Villers, Chargé d'Affaires de Luxembourg ; son Excellence M. le Comte Schouvaloff, Ambassadeur de Russie ; M. le Colonel Dr. Roth, Ministre de la Confédération Suisse ; se sont réunis aujourd'hui, au Département des Affaires Étrangères à Berlin, à l'effet d'accomplir les formalités du dépôt des ratifications de la dite Convention et du Protocole du 13 (15) Juillet, 1893, concernant l'adhésion du Royaume Uni de la Grande-Bretagne et d'Irlande.

Ont été présentées et reconnues en bonne et due forme les ratifications de Sa Majesté l'Empereur d'Allemagne, Roi de Prusse ; de Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., &c., et Roi Apostolique de Hongrie ; de Sa Majesté le Roi des Belges ; du Président de la République Française ; de Sa Majesté la Reine du Royaume Uni de la Grande-Bretagne et d'Irlande ; de Sa Majesté le Roi d'Italie ; de Son Altesse Royale le Grand-Duc de Luxembourg ; de Sa Majesté l'Empereur de Toutes les Russies ; et du Conseil Fédéral Suisse.

Il a été constaté que le Monténégro s'est décidé à s'abstenir de la ratification.

Le Gouvernement des Pays-Bas n'étant à même de ratifier la Convention que plus tard, les Soussignés prient le Gouvernement Impérial Allemand de se charger de la réception de la ratification des Pays-Bas, et d'en donner connaissance par une lettre circulaire aux États intéressés.

Il est bien entendu que le délai de cinq ans fixé par l'Article IV pour la durée de la Convention datera du jour de la signature du présent procès-verbal.

En foi de quoi les Soussignés ont dressé le présent procès-verbal dont l'exemplaire unique reste aux archives du Département des Affaires Étrangères à Berlin, par les soins duquel une copie certifiée en sera délivrée à chacune des Hautes Parties Signataires.

Fait à Berlin, le 1^{er} Février, 1894.

(Signé)

Baron DE MARSCHALL
SZÖGYÉNY.

GREINDL.

JULES HERBETTE.

EDWARD B. MALET.

C. LANZA.

H. DE VILLERS.

Comte PAUL SCHOUVALOFF.

ROTH.

(Translation.)

It having been found necessary to prolong the limit of time for the deposit of the ratifications assigned in Article IV of the Sanitary Convention of the 15th April, 1893, the Undersigned, that is to say: his Excellency Baron Marschall de Bieberstein, Secretary of State at the German Department for Foreign Affairs; his Excellency M. de Szögyény-Marich, Ambassador of Austria-Hungary; Baron Greindl, Minister of Belgium; his Excellency M. Herbette, Ambassador of France; his Excellency Sir Edward Malet, Ambassador of Great Britain and Ireland; his Excellency Count Lanza, Ambassador of Italy; Count de Villers, Chargé d'Affaires of Luxemburg; his Excellency Count Schouvaloff, Ambassador of Russia; Colonel Dr. Roth, Minister of the Swiss Confederation, have assembled to-day at the Department for Foreign Affairs at Berlin, in order to carry out the necessary formalities with reference to the deposit of the ratifications of the aforesaid Convention, and of the Protocol of the 13th (15th) July, 1893, respecting the adhesion of the United Kingdom of Great Britain and Ireland.

The ratifications of the Emperor of Germany, King of Prussia; of His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary; of His Majesty the King of the Belgians; of the President of the French Republic; of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland; of His Majesty the King of Italy; of His Royal Highness the Duke of Luxemburg; of His Majesty the Emperor of All the Russias; and of the Swiss Federal Council; have been presented and found in due and proper form.

It has been recorded that Montenegro has decided to abstain from ratifying the Convention.

The Netherland Government being unable to ratify it until later, the Undersigned request the German Imperial Government to receive the ratification of the Netherlands and to notify it by a Circular letter to the countries interested.

It is understood that the limit of five years fixed by Article IV for the duration of the Convention shall date from the signature of the present *procès-verbal*.

In faith whereof the Undersigned have drawn up the present *procès-verbal*, of which the original copy shall remain in the archives of the Berlin Foreign Office, whence a certified copy shall be delivered to each of the High Contracting Parties.

Done at Berlin, the 1st day of February, 1894.

(Signed)

Baron DE MARSCHALL

SZÖGYÉNY.

GREINDL.

JULES HERBETTE.

EDWARD B. MALET.

C. LANZA.

H. DE VILLERS.

Comte PAUL SCHOUVALOFF.

ROTH.

TREATY SERIES. No. 17.

1894.

PROTOCOL

~~BETWEEN~~

GREAT BRITAIN AND ITALY

RESPECTING THE

DEMARCATIION OF THEIR
RESPECTIVE SPHERES OF INFLUENCE IN
EASTERN AFRICA.

Signed at Rome, May 5, 1894.

*Presented to both Houses of Parliament by Command of Her Majesty.
May 1894.*

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[C.—7388.]

PROTOCOL BETWEEN GREAT BRITAIN AND
ITALY RESPECTING THE DEMARCATION
OF THEIR RESPECTIVE SPHERES OF IN-
FLUENCE IN EASTERN AFRICA.

Signed at Rome, May 5, 1894.

IN order to complete the delimitation of the spheres of influence of Great Britain and Italy in Eastern Africa, which formed the subject of the Protocols signed at Rome on the 24th March and the 15th April, 1891, the Undersigned,

Francesco Crispi, President of the Council of Ministers of His Majesty the King of Italy, Knight of the Supreme Order of the Holy Annunciation, Knight Grand Cross of the Orders of St. Maurice and St. Lazarus, and of the Crown of Italy, Member of Parliament; and

Sir Francis Clare Ford, Grand Cross of the Most Honourable Order of the Bath, Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, a Member of Her Majesty's Most Honourable Privy Council, and Ambassador Extraordinary and Plenipotentiary of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, to His Majesty the King of Italy;

authorized by their respective Governments, have agreed as follows:—

1. The boundary of the spheres of influence of Great Britain and of Italy in the

AFFINE di portare a compimento la delimitazione delle sfere d'influenza fra la Gran Bretagna e l'Italia nell'Africa Orientale, che ha formato oggetto dei Protocolli firmati a Roma il 24 Marzo ed il 15 Aprile, 1891, i Sottoscritti,

Francesco Crispi, Presidente del Consiglio dei Ministri di Sua Maestà il Re d'Italia, Cavaliere dell'Ordine Supremo della SS. Annunziata, Gran Croce degli Ordini dei SS. Maurizio e Lazzaro, e della Corona d'Italia, Deputato al Parlamento; e

Sir Francis Clare Ford, Gran Croce dell'Ordine Molto Onorevole del Bagno, Gran Croce dell'Ordine Molto Distinto di San Michele e San Giorgio, Membro del Molto Onerevole Consiglio Privato, ed Ambasciatore Straordinario e Plenipotenziario di Sua Maestà la Regina del Regno Unito della Gran Bretagna e d'Irlanda, Imperatrice delle Indie, presso Sua Maestà il Re d'Italia;

autorizzati dai loro rispettivi Governi, hanno convenuto quanto segue:—

1. Il limite delle sfere d'influenza della Gran Bretagna e dell'Italia nelle regioni del

regions of the Gulf of Aden shall be constituted by a line which, starting from Gildessa and running towards the 8th degree of north latitude, skirts the north-east frontier of the territories of the Girrhi, Bertiri, and Rer Ali tribes, leaving to the right the villages of Gildessa, Darmi, Gig-giga, and Milmil. On reaching the 8th degree of north latitude the line follows that parallel as far as its intersection with the 48th degree of longitude east of Greenwich. It then runs to the intersection of the 9th degree of north latitude with the 49th degree of longitude east of Greenwich, and follows that meridian of longitude to the sea.

2. The two Governments engage to conform, in the regions of the British Protectorate and in those of the Ogaden, to the stipulations contained in the General Act of Berlin and in the Declaration of Brussels relative to freedom of trade, in favour as well of British and Italian subjects and protected persons as of the tribes inhabiting those territories.

3. In the port of Zeyla there shall be equality of treatment between British and Italian subjects and protected persons, in all that relates to their persons, their property, and to the exercise of trade and industry.

Golfo d'Aden è costituito da una linea che, partendo da Gildessa e dirigendosi verso l'8° latitudine nord, contorna la frontiera nord-est dei territori delle tribù Girrhi, Bertiri, e Rer Ali, lasciando a destra i villaggi di Gildessa, Darmi, Gig-giga, e Milmil. Arrivata all'8° latitudine nord la linea s'identifica con quel parallelo fino alla sua intersezione col 48° est Greenwich. Si dirige in seguito all'intersezione del 9° latitudine nord col 49° est Greenwich, e segue quel meridiano fino al mare.

2. I due Governi s'impegnano di conformarsi nelle regioni del Protettorato Britannico ed in quelle dell'Ogaden, a favore così dei sudditi e protetti Britannici ed Italiani, come delle tribù che abitano quei territori, alle stipulazioni dell'Atto Generale di Berlino e della Dichiarazione di Bruxelles relative alla libertà del commercio.

3. Nel porto di Zeila vi sarà eguaglianza di trattamento fra i sudditi e protetti Britannici ed Italiani in tutto ciò che concerne le loro persone, i loro beni, e l'esercizio del commercio e dell'industria.

Rome, May 5th, 1894.

Roma, 5 Maggio, 1894.

(L.S.)
(L.S.)

FRANCIS CLARE FORD.
FRANCESCO CRISPI.

JAPAN. No. 1 (1894).

CORRESPONDENCE

RESPECTING THE

REVISION OF THE TREATY ARRANGEMENTS

BETWEEN

GREAT BRITAIN AND JAPAN.

*Presented to both Houses of Parliament by Command of Her Majesty.
August 1894.*

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Correspondence respecting the Revision of the Treaty Arrangements between Great Britain and Japan.

No. 1.

Mr. Trench to the Marquis of Salisbury.—(Substance received by telegraph, December 30.)

My Lord,

Tókió, December 29, 1888.

THE new proposals with regard to Treaty revision, which formed the subject of my telegram to your Lordship of to-day's date, were communicated to me by the Japanese Foreign Minister at an interview which took place this morning.

Count Okuma opened the conversation by observing that his Government was anxious to resume at once the negotiations which had been interrupted by the adjournment of the late Conference in July 1887. In the new proposals which his Government were now bringing forward, their desire was to adhere as far as possible to the basis of the previous negotiations. That basis included two important points: the completion of Japan's Codes, and the arrangements to be made for the exercise of jurisdiction over foreigners. The preparation of the Codes was being pushed on rapidly, and the Japanese Government hoped that they would be completed and promulgated before the close of the year 1889. He felt confident that they would, when completed, be found to be in no way inferior to the laws obtaining in Western countries, but it must be borne in mind that their application to Japanese subjects, and not to foreigners residing in Japan, was the primary object for which these Codes were prepared. Western Powers could not but admit that the progress, both moral and material, which Japan had made during the thirty years which had elapsed since the conclusion of the existing Treaties was great. Her railways and telegraphs, her educational measures and administrative and social reforms, placed her in a position quite different to that which previously existed, and the development of her trade showed that at the present rate of progress her foreign trade would before long exceed in amount the total foreign trade of China. Simultaneously with this material progress a concurrent growth of public opinion had taken place, and the course of affairs, both foreign and domestic, was being watched by the Japanese public with an ever-increasing interest. The failure of the late Conference had been caused by the strong pressure brought to bear upon the Cabinet by the nation, which had condemned the scheme of Treaty revision then put forward, on the ground that the concessions therein made to Western Powers were not consistent with the dignity of Japan.

The Japanese Government were now of opinion that it was undesirable to assemble a fresh Conference for the discussion of matters relating to Treaty revision, and that a more satisfactory solution of the question would be obtained by separate and independent negotiations with the Great Powers of Europe and the United States. The other Powers, whose interests in Japan were inconsiderable, would, he felt assured, acquiesce readily in any settlement which might be arrived at in the course of the separate negotiations which it was proposed to institute. The Japanese Government, moreover, felt that to wait until the completion of Japan's Codes before revising the present Treaties would be to delay that revision unnecessarily, and it was considered that sufficient guarantees for the exercise of jurisdiction over foreigners would be provided by the employment for a term of years of a certain number of experienced foreign jurists in the Supreme Court, and the concession for the same period of a right of appeal to that Court in all cases, whether civil or criminal, above a certain degree of gravity in which foreigners might be directly concerned.

His Excellency went on to observe that he trusted that these new proposals of the Japanese Government would be favourably received by Her Majesty's Government. He was especially anxious to secure their favourable reception by Great Britain, because her interests in Japan were larger than those of any other Treaty Power, and in view also of the extension of those interests in the near future, which was confidently anticipated as the natural outcome of the growing trade of Great Britain's Colonies and possessions with Japan. He referred in warm terms to the valuable support afforded to the Japanese Government by Sir Harry Parkes throughout the grave difficulties of the revolution which preceded the Restoration, and concluded by expressing the hope that the same generous feeling which had characterized British policy towards Japan in the past would be manifested in the future.

I took this opportunity of assuring his Excellency that the sentiments of Her Majesty's Government towards Japan remained unchanged.

Count Okuma then, in reply to my inquiry as to whether he had already communicated the new proposals to any of the Treaty Powers concerned, informed me that he had shown them to the Representatives of Germany and the United States, and that the American Government had signified by telegraph their approval of the principles contained in them; ill-health and domestic bereavement had prevented him from communicating them to me at the same time.

I thought it advisable to express my regret that this delay had occurred, observing that Her Majesty's Government, as his Excellency must be aware, would always give their friendly attention to any proposals on this subject which might emanate from the Government of Japan.

In placing the text of the new proposals in my hands, his Excellency again remarked that his Government had kept clearly before them the advisability of disturbing as little as possible the work of the late Conference, and he added that he should instruct the Japanese Chargé d'Affaires in London to enter into communication with your Lordship on the subject.

I replied briefly that I should have much pleasure in forwarding, by the earliest opportunity, the documents he had presented to me to your Lordship, and that it would of course be premature on my part to express any opinion either as to the nature of the proposals, or as to the views which Her Majesty's Government might form on the subject.

I have, &c.
(Signed) P. IÆ POER TRENCH.

No. 2.

Viscount Okabé to the Marquis of Salisbury.—(Received January 21.)

M. le Marquis,

Japanese Legation, London, January 19, 1889.

IN reference to my interview with Sir Julian Pauncefote to-day on the subject of the Japanese Treaty revision, I have now the honour to place before your Excellency copies of the draft Treaty of Amity, Commerce, and Navigation, and two draft diplomatic notes.

I have, &c.
(Signed) OKABÉ.

Inclosure 1 in No. 2.

Draft Treaty of Amity, Commerce, and Navigation.

HIS Majesty the Emperor of Japan, and _____, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say, His Majesty the Emperor of Japan, _____, and _____, who, after

having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects or citizens of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property. They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such Courts, and in all other matters connected with administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

Liberty of entrance, travel, and residence.
Free access to Courts of Justice, &c.

In whatever relates to rights of residence, to the possession of real estate, goods and effects of any kind, to the succession to real or personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever, the subjects or citizens of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects than native subjects or citizens.

Residence, real estate, &c., succession to and disposal of property.

The subjects or citizens of each of the Contracting Parties shall enjoy in the dominions of the other entire liberty of conscience, and, subject to the Laws and Regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

Liberty of conscience, private and public worship.
Right of burial according to respective religious customs.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are or may be paid by native subjects.

National treatment as to charges or taxes.

The subjects or citizens of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions. The duties and charges connected with the ownership or leasing of lands and other real property, to which all subjects of the country may be liable, are excepted.

Exemption from compulsory military service, forced loans, &c., exceptions as to duties and charges on land, &c.

ARTICLE II.

There shall be entire freedom of commerce and navigation between the dominions of the two High Contracting Parties.

Commerce and navigation; national treatment.

The subjects or citizens of each of the Contracting Parties may trade in any part of the dominions of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects, conforming themselves to the Laws, Police and Customs Regulations of the country like native subjects or citizens.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other which are or may be opened to foreign commerce, and shall enjoy respectively the same treatment in matters of industry, manufacture, commerce, and navigation as native subjects or citizens, without having to pay taxes, imposts, or duties, of whatever nature, or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, other or greater than those paid by native subjects or citizens.

ARTICLE III.

The subjects or citizens of each of the Contracting Parties shall enjoy in the dominions of the other the same protection as native subjects in regard to patents, trade-marks, and designs upon fulfilment of the formalities prescribed by law.

Patents, trade-marks, and designs; national treatment.

Such protection shall mutually be granted by each of the Contracting Parties to the subjects or citizens of the other as far and as long as they are protected in their own country.

ARTICLE IV.

Import duties ;
most-favoured-
nation treatment.

Prohibitions of
importation ; most-
favoured-nation
treatment.

Exception for
sanitary and other
prohibitions.

No other or higher duties shall be imposed on the importation into the dominions of His Majesty the Emperor of Japan of any article the produce or manufacture of the dominions of _____, from whatever place arriving ; and no other or higher duties shall be imposed on the importation into the dominions of _____ of any article the produce or manufacture of the dominions of His Majesty the Emperor of Japan, from whatever place arriving, than on the like article produced or manufactured in any other foreign country ; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions of either of the Contracting Parties into the dominions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

ARTICLE V.

New Tariff.

Reservation as to
articles dangerous
to health, &c.

Internal duties on
sake, shoyu, mirin,
or tobacco.

Import duties
payable *ad valorem*
in Japan.

Import duties on
foreign goods
reimported into
Japan.

Import duties on
Japanese goods
reimported.

It is agreed by the High Contracting Parties that, in lieu of the import duties hitherto levied and collected, the duties specified in the Tariff hereunto annexed may be levied by the Japanese Government on all goods the growth, produce, or manufacture of _____, upon importation into Japan. The Japanese Government, however, reserves to itself the right to restrict or prohibit the importation of any article which may injuriously affect or endanger health, property, morals, or public security.

It is understood by the Contracting Parties that the Japanese Government, in the event of its imposing or augmenting any internal duty on sake, shoyu, mirin, or tobacco, may impose a compensatory duty on such articles imported into Japan, provided such compensatory duty, with the customs duty added, shall not exceed the internal tax or duty.

Import duties payable *ad valorem* in Japan shall be calculated on the actual cost of the goods at the place of purchase, production, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication to the port of discharge, as well as commission, if any exists. The sum thus obtained shall be regarded as the dutiable value of the goods, upon which the rate of duty provided in the Tariff shall be paid.

Goods of foreign produce or manufacture reimported into Japan, after having been exported therefrom, shall pay import duty in accordance with the Tariff, notwithstanding duty may have been paid upon such goods when originally imported.

Goods of [Japanese production or manufacture brought back from foreign countries to Japan shall pay an *ad valorem* duty of 5 per centum.

ARTICLE VI.

Export duties ;
most-favoured-
nation treatment.

Prohibitions of
importation ; most-
favoured-nation
treatment.

No other or higher duties or charges shall be imposed in the territories of either of the Contracting Parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like articles to any other foreign country ; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other country.

ARTICLE VII.

Transit duties,
warehousing,
bounties, facilities,
and drawbacks ;
most-favoured-
nation treatment.

No duties in
addition to Tariff.

The subjects or citizens of each of the Contracting Parties shall enjoy in the dominions of the other in respect to exemption from transit duties, and in all that relates to warehousing, bounties, facilities, and drawbacks, all the advantages which have been, or may be hereafter, granted to the most favoured nation.

It is, however, understood that all goods imported into Japan by _____ subjects or citizens, on which the duty shall have been paid according to the Tariff annexed to this Treaty, may be conveyed to any Japanese port free of duty, and when transported

into the interior, shall not, except as herein otherwise provided, be subject to any additional tax, excise, or transit duty whatsoever in any part of the Japanese Empire.

ARTICLE VIII.

When goods of foreign production or manufacture, which have been removed from the custody and control of the Customs, are, within two years from the date of their importation, exported from Japan, such goods shall be allowed to pass the Customs free of export duty, and the importer thereof shall, in addition, be entitled to receive a drawback certificate for the amount of the import duties paid thereon, provided that all charges upon the said goods to the Customs shall have been paid; that they are *bonâ fide* exported to a foreign country; that they are so exported in the casks, cases, boxes, trunks, or packages in which they were originally imported, without having been opened or unpacked, except by the Customs, or with their permission; that the original import permit shall accompany the application for drawback of duty, and be retained by the Customs authorities, and that the said goods shall be, at the time of their exportation, subject to such examination and inspection as the Customs authorities may deem necessary to determine their identity with the goods described in the import permit. These drawback certificates shall either be redeemed on demand, or be at any time accepted by the Customs authorities in payment of duties.

Drawbacks on goods reexported from Japan.

ARTICLE IX.

The same duties shall be paid on the importation into the dominions of either of the High Contracting Parties of any article which is, or may be, legally importable therein by native or foreign subjects or citizens, whether such importation shall be in Japanese or vessels. The same duties shall be paid on the exportation from the dominions of either of the High Contracting Parties of any article which is, or may be, legally exportable therefrom by native or foreign subjects or citizens, whether such exportation shall be in Japanese or vessels.

Duties on imports and exports to be the same, whether in Japanese or British vessels.

ARTICLE X.

The coasting trade of both the Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the Laws of and of Japan respectively. It is, however, understood that subjects or citizens in Japan, and Japanese subjects in , shall enjoy in this respect the rights which are, or may be, granted under such Laws to the subjects or citizens of any other country.

Coasting trade excepted, subject to most-favoured-nation treatment.

A Japanese vessel, laden in a foreign country with cargo destined for two or more ports in , and a vessel, laden in a foreign country with cargo destined for two or more ports in Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the Laws and Custom-house Regulations of the two countries.

Cargoes destined for two or more ports in either country.

But the Imperial Japanese Government makes the following Concession in addition, that vessels may carry cargoes between any of the ports hereinafter mentioned, namely, Yokohama, Kobé, and Nagasaki.

British vessels may carry cargoes between Yokohama, Kobé, and Nagasaki.

ARTICLE XI.

The Imperial Japanese Government agrees that for a period of ten years from the time the present Treaty comes into force subjects or citizens shall be entitled to charter ships to Japanese subjects for employment in the coasting trade of Japan, subject, however, to the observance of the following stipulations.

British ships may be chartered to Japanese subjects for coasting trade for a limited period

No foreign vessel shall be permitted to engage in the coasting trade of Japan under the provisions of this Article except such as are *bonâ fide*, and in whole chartered by Japanese subjects alone.

Any Japanese subject desiring to charter a foreign vessel shall apply in writing to the Customs authorities of the port of charter, setting forth in his application all the particulars relating to the vessel, so far as it is possible to give them, and the name and

"Charter-permits" to be issued by Customs authorities

nationality of the master. The application shall be accompanied by a draft of the charter-party, to be signed by the owner, master, or agent of the vessel; this draft shall mention the object of the charter, its duration, and the amount of charter money to be paid. Upon the receipt of this application the Customs authorities shall, upon the payment of a fee of 50 yen, issue a permit, to be called the "charter-permit."

Duration of charter.

The term for which foreign vessels may be chartered shall not exceed twelve calendar months. At the expiration of the charter, the charter-permit shall be returned to the Customs authorities of the port of charter. The charter may, however, be renewed and a new charter-permit obtained upon the payment of a further fee of 50 yen, and upon application being made in the same manner as in the case of the original charter.

Fees on charter.

In addition to the foregoing fee, chartered foreign vessels shall pay from the date of first clearance under charter tonnage and light dues at the rate of 2 sen per ton for every month, or fraction of a month, during which their charters continue.

Chartered vessels must carry distinguishing flag.

Chartered foreign vessels shall carry a distinguishing flag to indicate that the vessels are chartered by Japanese subjects.

Must carry mails.

They shall, in the same manner as Japanese vessels, be obliged to carry mails when required to do so by the Japanese postal authorities. But such vessels shall, under no circumstances, be allowed to carry mails without permission from the said authorities.

May only engage in coasting trade.

Chartered foreign vessels shall only be permitted to engage in the coasting trade. When going abroad the charter-permit shall be surrendered to the Customs authorities of the port of clearance, and all such goods as may have been shipped at any port while the vessel was so chartered shall be subject to the prescribed export duties.

Subject to Trade Regulations.

Chartered foreign vessels are subject to the Trade Regulations, in so far as such Regulations are applicable, but their Charter-permits shall, when in port, be deposited with the Customs authorities.

ARTICLE XII.

Procedure for wrecks, salvage, &c.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the district of the occurrence, or, if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of vessels, wrecked or cast on shore in the territorial waters of the Japanese Empire, shall take place in accordance with the laws of Japan; and, reciprocally, all measures of salvage relative to Japanese vessels, wrecked or cast on shore in the territorial waters of , shall take place in accordance with the laws of .

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls, or Consular Agents, upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses, which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner, or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but require such assistance to be given.

ARTICLE XIII.

If any seaman should desert from any man-of-war or merchant-ship belonging to either of the Contracting Parties within the territory of the other, the local authorities shall be bound to give every assistance in their power for the apprehension and handing over of such deserter, on application to that effect being made to them by the Consul of the country to which the ship of the deserter may belong, or by the deputy or representative of the Consul.

Deserters from
men-of-war or
merchant-ships

It is understood that this stipulation shall not apply to the subjects or citizens of the country where the desertion takes place.

ARTICLE XIV.

vessels entering Japanese ports shall pay tonnage and light dues at the time of entry at the Custom-house according to one of the following rates, at the option of the masters, owners, or agents of such vessels :—

Tonnage and light
dues on British
vessels entering
Japanese ports

1. 25 sen per ton for one Japanese port of call only.
2. 30 sen per ton for a period of two months, with the option to call at any number of Japanese ports, but at no foreign port or ports.
3. 80 sen per ton for a period of six months, with the option to call at any Japanese or foreign port or ports.

4. Mail Companies may, if they desire, free their vessels from tonnage and light dues for seven consecutive schedule-voyages, on paying a duty of 80 sen per ton on the average tonnage of the vessels making such voyages. This payment must be made at the time of the first entry. It shall be calculated according to the schedule arrangement of the Company, on condition that reimbursement shall be made either by the Customs authorities or by the Mail Companies, as the case may be, at the time of the seventh entry, of any excess or deficiency in the dues paid, arising from any changes which may have taken place in the vessels employed.

Mail Companies
may compound for
six consecutive
schedule-voyages.

The dutiable tonnage of vessels shall be the net tonnage according to the Rules adopted by the Japanese Government for the measurement of vessels.

Calculation of
tonnage.

The following vessels shall be exempt from the payment of tonnage and light dues :—

Vessels exempted
from tonnage and
light dues.

1. Men-of-war.
2. Pleasure yachts.
3. Fishing-vessels having no cargo on board.
4. Vessels of less than 20 tons burden.
5. Vessels putting into port in distress or for repairs, provided they do not engage in trade.

6. Vessels entering and clearing in ballast.
7. Vessels leaving port within forty-eight hours after anchoring, provided they do not land, ship, or tranship cargo, or land or take on board passengers or mail. Such vessels shall, however, pay a Customs fee of 15 yen.

The fees hitherto paid on the entrance and clearance of vessels in Japanese ports shall be no longer levied.

Entrance and
clearance fees to be
no longer levied.

ARTICLE XV.

For the period of five years from the date this Treaty goes into operation, the jurisdiction exercised by Courts over subjects and property shall be territorially limited to the foreign Settlements of Hakodate, Tôkiô, Yokohama, Osaka,

Consular
jurisdiction.

Kobé, and Nagasaki, and to such of the ports and harbours thereof as are now open to vessels, and to the other localities adjacent to such foreign Settlements where by Treaty or other express engagements subjects are now permitted permanently to reside and rent land, and from the same date everywhere in Japan, outside of the limits of the above-named foreign Settlements, ports, harbours, and localities, Japanese Courts shall have and exercise complete and exclusive jurisdiction, both civil and criminal, over subjects and property, in accordance with the laws of Japan. At the expiration of the five years aforesaid, all the jurisdiction then exercised by Courts in Japan, and all the exceptional privileges, exemptions, and immunities then enjoyed by subjects as a part or as appurtenant to such jurisdiction, shall absolutely and without notice wholly cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

The jurisdiction of Courts shall be continued until final decision in respect of all actions *lis pendens* in said Courts at the time fixed for the abolition of Consular jurisdiction.

ARTICLE XVI.

Jurisdiction of
Japanese and
British Courts—

The following Rules are laid down for the purpose of determining internationally the jurisdiction of Japanese and Courts.

In criminal matters.

(i.) In criminal matters, jurisdiction shall be determined by the place of commission of the offence.

In civil matters.

(ii.) In civil matters, jurisdiction shall be determined alternately, in the order named:—

(a.) In actions *ex contractu*.

1. By the place of performance.

2. By the domicile of the defendant; or

3. By the place of sojourn of the defendant at the time the summons is served.

(b.) Actions *ex delicto*.

1. By the place where damages are suffered; or

2. By the place where the articles are situated.

(c.) In all other personal actions.

1. By the domicile of the defendant; or

2. By the place of sojourn of the defendant at the time the summons is served.

(d.) In real and mixed actions, and in probate, administration, and bankruptcy proceedings, by the place where the property is situated.

Concurrent
jurisdiction.

In the event Japanese and Courts should in any case have, under the foregoing Rules, concurrent jurisdiction, such concurrent jurisdiction shall become exclusive in the Courts first taking jurisdiction.

Service and
execution of
process, &c.

In the matter of the service of process and the execution of Judgments, Decrees, and Sentences, Japanese and Courts shall be auxiliary to each other.

ARTICLE XVII.

Conditions under
which British
subjects may submit
themselves
exclusively to
Japanese
jurisdiction in
advance of final
abolition of
British Consular
jurisdiction.

In case any subjects should at any time in advance of the final abolition of Consular jurisdiction desire to submit themselves exclusively to Japanese jurisdiction, they may do so by making and filing with their own proper Consular authorities, and with the proper local Japanese authorities, formal declarations to that effect; but no such submission shall deprive the Consular Courts of jurisdiction over such subjects which they would otherwise have in connection with liabilities incurred and offences committed prior to such submission.

ARTICLE XVIII.

Consular officers to
enjoy most-
favoured-nation
treatment.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation.

ARTICLE XIX.

The Contracting Parties agree that in all matters relating to commerce and navigation, to travel through, or to residence in, their respective dominions, any privilege, favour, or immunity whatever, which either Contracting Party has actually granted, or may hereafter grant, to the Government, subjects, or citizens of any other State, shall be extended to the Government, subjects, or citizens of the other Contracting Party gratuitously, if the Concession in favour of that other State shall have been gratuitous, and on the same or equivalent conditions, if the Concession shall have been conditional.

Most-favoured-nation treatment to be conditional.

ARTICLE XX.

All privileges and immunities which subjects or citizens have hitherto enjoyed in Japan, in virtue of the existing Treaties and Arrangements, are maintained during the continuance of Consular jurisdiction, in so far as they are not abrogated by the stipulations of this Treaty, and from the date Consular jurisdiction ceases to exist all such privileges and immunities shall be regarded as abrogated, unless maintained by this Treaty.

Privileges and immunities in Japan to be retained till cessation of Consular jurisdiction.

ARTICLE XXI.

During the continuance of Consular jurisdiction subjects or citizens in Japan shall, within the territorial limits of such jurisdiction, be liable only to such taxes, rates, fees, duties, and charges as are imposed upon Japanese subjects in respect of industrial and manufacturing enterprises. From the date of the exchange of ratifications of this Treaty, outside of the territorial limits of Consular jurisdiction, and from the date Consular jurisdiction ceases to exist throughout the entire Empire, subjects or citizens shall be liable to the same taxes, rates, fees, duties, and charges as Japanese subjects.

Taxes, &c., in Japan, national treatment.

ARTICLE XXII.

Simultaneously with the abolition of Consular jurisdiction in Japan, in conformity with Article XV of this Treaty, the titles to all real property then held or rented by subjects or citizens, either jointly or severally, in trust or otherwise, from the Japanese Government under leases in perpetuity, shall be converted into absolute titles, and the lessees of such real property shall thereupon become absolute owners thereof, and shall, upon surrendering their leases, obtain title-deeds from the Japanese Government. The rents hitherto paid on such real property shall then cease to be collected, and in lieu thereof such real property shall be subject to the same Imperial and local taxes as are imposed in respect of similar real property owned by native subjects, and shall also in all other respects be subject to the laws of Japan relating to real property.

Titles to real property.

It is, however, understood that, in all cases where a reduction in rent on land held under leases in perpetuity has been made by the Japanese Government on account of the uses to which such land has been devoted, the taxes hereafter to be levied in lieu of such rent shall not exceed the amount of such reduced rent.

When the foregoing changes in the tenure of real property have been effected, the several foreign Settlements shall be completely incorporated with the respective Japanese communes. They shall thenceforth form integral portions of the municipal system of Japan, and the competent authorities shall assume all municipal obligations and duties in respect thereof. At the same time, the municipal funds and property belonging to such Settlements shall be transferred to the said Japanese authorities.

All lands which have been hitherto given by the Japanese Government free of rent for public purposes in the foreign Settlements shall, subject to the right of eminent domain, be permanently reserved, free of all taxes and charges, for the public purposes for which they were originally set apart.

ARTICLE XXIII.

Trade and Govern-
ment Bonded
Warehouse
Regulations.

The High Contracting Parties agree that the Regulations annexed to this Treaty, namely, the Trade and Government Bonded Warehouse Regulations, shall be regarded as forming a portion of the same.

ARTICLE XXIV.

Duration.

The present Treaty shall come into force one month after the exchange of the ratifications, which shall take place at Tôkiô within one year after its signature, and shall remain in force for twelve years after the exchange of ratifications.

Termination.

Either High Contracting Party shall have the right at any time after eleven years shall have elapsed from the date of the exchange of ratifications to give notice to the other of its intention to terminate this Treaty, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

In witness whereof the respective Plenipotentiaries have signed and sealed this Treaty in quadruplicate, two copies being in the Japanese and two copies in the language. All of these copies have the same meaning and intent, but in case of conflict the () text shall decide.

Done at the city of Tôkiô, this day of the month
year of Meiji, corresponding to the day of , in the
year of the Christian era.

Inclosures 2 and 3 in No. 2.

Trade Regulations, &c.

[See pp. 41-49.]

Inclosure 4 in No. 2.

Revised Tariff.

[Not printed.]

Inclosure 5 in No. 2.

Draft of Note.

Department of Foreign Affairs,

(Confidential.)

Tôkiô,

THE Undersigned, His Imperial Majesty's Minister for Foreign Affairs, taking into consideration the stipulations contained in the Treaty this day concluded between the Governments of Japan and , in reference to the final total abolition of Consular jurisdiction in Japan, deems it proper to announce that His Imperial Majesty's Government are now actively engaged in the labour of elaborating the following Codes:—

1. Criminal Code.
2. Code of Criminal Procedure.
3. Civil Code.
4. Commercial Code; including bankruptcy laws, and laws relating to shipping and bills of exchange.
5. Code of Civil Procedure; including the procedure to be followed in commercial matters.

It is confidently expected that this great work will be completed not later than next year. The Imperial Government fully appreciate the necessity of bringing the work of codification to a successful conclusion some time in advance of the final abolition of Consular Courts, and in the event it is found impossible from any cause to complete and issue the Codes above enumerated within two years after the new Treaty shall have gone into operation, His Imperial Majesty's Government will then be compelled to request Government to consent to the postponement of the date named in the Treaty for totally abolishing Consular jurisdiction until at least three years after the Codes in question shall have been promulgated.

The determination of His Imperial Majesty's Government to employ for some years a number of foreign jurists to act in the capacity of Japanese Judges has

convinced the Imperial Government of the necessity of rendering the substantive laws of the Empire into some European language. The English language being the European language in most common use in Japan, the Undersigned begs to state on behalf of His Imperial Majesty's Government that authentic English translations of the Codes in question will be made public not later than one year and a-half after they are promulgated.

The Undersigned has the honour to add, in conclusion, that the system of issuing authentic translations of the laws will be maintained so long at least as the services of Judges of European or American origin are continued.

The Undersigned; &c.

Inclosure 6 in No. 2.

Draft of Note.

Department of Foreign Affairs,

(Confidential.)

Tókió,

THE Undersigned, His Imperial Majesty's Minister for Foreign Affairs, has the honour to announce to _____ that the Imperial Government have reached the determination to appoint a number of foreign jurists to act in the capacity of Judges in the Supreme Court ("Dai Shin In"), and the Undersigned is authorized to state, on behalf of His Imperial Majesty's Government, that when any proceedings, either civil or criminal, in which a _____ subject or citizen is directly interested as a defendant or accused are heard in the Supreme Court, either in last or first and last instance, a majority of the Judges hearing such proceedings will be Judges of European or American origin.

In order to indicate the extent to which _____ subjects or citizens will be able to take advantages of the proposed system, it is proper for the Undersigned to say that, under the new judicial organization of the Empire, all criminal cases in which the punishment exceeds two months' imprisonment and a fine of 50 yen, or exceeds a fine of 100 yen without imprisonment, may be taken either on appeal or in first and last instance to the Supreme Court, and that generally all civil cases where the amount involved exceeds 100 yen may in like manner be carried on appeal to the Supreme Court.

It is impossible for the Imperial Government to declare in advance how many foreign jurists will be thus appointed as Japanese Judges, but the Undersigned does not hesitate to assure _____ that a sufficient number will be employed to perform with thoroughness and promptitude the duties which will be assigned to them.

The gentlemen to be selected to fill these honourable positions will, subject only to the exception of dismissal for cause, be given a fixed tenure of not less than four years, and in all other directions equal care will be taken to secure and encourage their complete independence and impartiality. His Imperial Majesty's Government are, moreover, of opinion that it would be extremely undesirable to permit the Judges of European or American origin to remain even for a limited period, subject to the jurisdiction of Courts foreign to those in which they will be called upon to sit as Judges, and for this reason His Imperial Majesty's Government deem it essential that the persons selected for the positions should, in pursuance of the stipulations contained in the Treaty which has this day been concluded between the Governments of Japan and _____, make formal submission to the jurisdiction of the Imperial Courts of Justice.

The new system which the Undersigned has had the honour briefly to outline will be put into active operation at the same time the Treaty above referred to takes effect, and it will be continued in force without circumscription for the period of twelve years.

While His Imperial Majesty's Government will be fully prepared to maintain the new system beyond the period named, in the event it is found that that course is necessary, they would, nevertheless, desire to have it understood that they reserve to themselves the faculty of determining, at the proper moment, whether or not such necessity actually exists.

The Undersigned begs to add, in conclusion, that this measure has been adopted primarily for the purpose of improving the judicial system of the Empire. His Imperial Majesty's Government, however, venture to hope that it will be regarded as a sufficient

guarantee that, under the new Treaty, the rights and interests of
ment and subjects will be fully respected and protected.

Govern-

The Undersigned, &c.

No. 3.

The Marquis of Salisbury to Mr. Fraser.

Sir,

Foreign Office, June 21, 1889.

I TRANSMIT to you herewith two copies of a counter-draft Treaty of Amity, Commerce, and Navigation, with Annexes containing the alterations and additions which Her Majesty's Government desire to introduce in the proposals communicated by the Japanese Government.

These amendments are shown throughout by italics.

The terms of the counter-draft must not for the present be considered as positively settled, and it is intended further to communicate it to the Governments of the other Great Powers before it is submitted to the Japanese Government.

You will, therefore, take no action whatever in regard to it until you receive instructions by telegraph.

I am, &c.
(Signed) SALISBURY.

Inclosure 1 in No. 3.

Draft Treaty of Amity, Commerce, and Navigation.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India,

And His Majesty the Emperor of Japan,

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects ~~or citizens~~ of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property. They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such Courts, and in all other matters connected with administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

In whatever relates to rights of residence *and travel*, to the possession of real estate, goods and effects of any kind, to the succession to real or personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever, the subjects ~~or citizens~~ of each Contracting Party shall enjoy in the territories

Liberty of entrance,
travel, and
residence.
Free access to
Courts of Justice,
&c.

Residence, real
estate, &c.,
succession to and
disposal of property.

of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects than native subjects ~~or citizens~~, or *subjects or citizens of the most favoured nation*.

The subjects ~~or citizens~~ of each of the Contracting Parties shall enjoy in the territories ~~dominions~~ of the other entire liberty of conscience, and, subject to the Laws and Regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as *they may be established and maintained for that purpose*.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are or may be paid by native subjects, ~~or subjects or citizens of the most favoured nation~~.

The subjects ~~or citizens~~ of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions. The duties and charges connected with the ownership or leasing of lands and other real property, to which all subjects of the country may be liable, are expected.

The Japanese Government, moreover, undertakes to exempt British subjects from billeting.

Liberty of conscience, private and public worship. Right of burial according to respective religious customs.

National and most-favoured-nation treatment as to charges on taxes.

Exemption from compulsory military service, forced loans, &c., exceptions as to duties and charges on land, &c.

ARTICLE II.

There shall be entire freedom of commerce and navigation between the dominions and possessions of the two High Contracting Parties.

The subjects ~~or citizens~~ of each of the Contracting Parties may trade in any part of the dominions and possessions of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects, conforming themselves to the Laws, Police, and Customs Regulations of the country, like native subjects ~~or citizens~~.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other, which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of industry, manufacture, commerce, and navigation as native subjects ~~or citizens~~, without having to pay taxes, imposts, or duties, of whatever nature, or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, other or greater than those paid by native subjects ~~or citizens~~.

Commerce and navigation; national treatment.

ARTICLE III.

The subjects ~~or citizens~~ of each of the Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

Such protection shall mutually be granted by each of the Contracting Parties to the subjects ~~or citizens~~ of the other, as far and as long as they are protected in their own country.

Patents, trade-marks, and designs national treatment.

ARTICLE IV.

No other or higher duties shall be imposed on the importation into the dominions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article, the produce or manufacture of the dominions of His Majesty the Emperor of Japan, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the Contracting Parties, into the dominions or possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture

Import duties; most-favoured-nation treatment.

Prohibitions of importation; most-favoured-nation treatment.

Exception for sanitary and other prohibitions.

of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE V.

New Tariff.

It is agreed by the High Contracting Parties that, in lieu of the import duties hitherto levied and collected, the duties specified in the Tariff hereunto annexed may, *subject to the provisions of Article IV*, be levied by the Japanese Government on all goods, the growth, produce, or manufacture of the dominions and possessions of Her Britannic Majesty, upon importation into Japan. *The valuations in the said Tariff shall be revised every three years, in order that they may correspond to the latest trade prices. Such revision shall be effected by a Committee, to be composed of an equal number of Japanese officials and of representatives of the foreign merchants in Japan.*

Reservation as to articles dangerous to health, &c.

The Japanese Government, however, reserves to itself the right to restrict or temporarily prohibit the importation of any article which, *for sanitary reasons or in view of public security or morals might offer any danger, may injuriously affect or endanger health, property, morals, or public security.*

Internal duties on sake, shoyu, mirin, or tobacco.

It is understood by the Contracting Parties that the Japanese Government, in the event of its imposing or augmenting any internal duty on sake, shoyu, mirin, or tobacco, may impose a compensatory duty on such articles imported into Japan, provided such compensatory duty, with the customs duty added, shall not exceed the internal tax or duty.

Import duties payable *ad valorem* in Japan.

Import duties payable *ad valorem* in Japan shall be calculated on the actual cost of the goods at the place of purchase, production, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication to the port of discharge, as well as commission if any exists. The sum thus obtained shall be regarded as the dutiable value of the goods, upon which the rate of duty provided in the Tariff shall be paid.

Import duties on foreign goods reimported into Japan.

Goods of foreign production or manufacture reimported into Japan, after having been exported therefrom, shall pay import duty in accordance with the Tariff, notwithstanding duty may have been paid upon such goods when originally imported.

Import duties on Japanese goods reimported.

Goods of Japanese production or manufacture brought back from foreign countries to Japan shall pay an *ad valorem* duty of 5 per centum.

ARTICLE VI.

Export duties ; most-favoured-nation treatment.

No other or higher duties or charges shall be imposed in the territories of either of the Contracting Parties on the exportation of any article to the territories of the other, than such as are, or may be, payable on the exportation of the like articles to any other foreign country ; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other country.

Prohibitions of importation ; most-favoured-nation treatment.

ARTICLE VII.

Transit duties, warehousing, bounties, facilities, and drawbacks ; most-favoured-nation treatment.

The subjects ~~or citizens~~ of each of the Contracting Parties shall enjoy *immediately and unconditionally* in the dominions and possessions of the other in respect to exemption from transit duties, and in all that relates to warehousing, bounties, facilities, and drawbacks, all the advantages which have been, or may be hereafter, granted to the most favoured nation.

ARTICLE VIII.

No duties in addition to Tariff.

It is, however, understood that all goods imported into Japan by British subjects ~~or citizens~~ on which the duty shall have been paid according to the Tariff annexed to this Treaty may be conveyed to any Japanese port free of duty, and when transported into the interior shall not, except as herein otherwise provided, be subject to any additional tax, excise, or transit duty whatsoever in any part of the Japanese Empire.

ARTICLE IX.

When goods of foreign production or manufacture, which have been removed from the custody and control of the Customs, are, within two years from the date of their importation, exported from Japan, such goods shall be allowed to pass the Customs free of export duty, and the importer thereof shall, in addition, be entitled to receive a drawback certificate for the amount of the import duties paid thereon, provided that all charges upon the said goods to the Customs shall have been paid; that they are *bond fide* exported to a foreign country; that they are so exported in the casks, bottles, cases, boxes, trunks, or packages, &c., in which they were originally imported without having been opened or unpacked, except by the Customs or with their permission; that the original import permit shall accompany the application for drawback of duty, and be retained by the Customs authorities, and that the said goods shall be, at the time of their exportation, subject to such examination and inspection as the Customs authorities may deem necessary to determine their identity with the goods described in the import permit. These drawback certificates shall either be redeemed on demand, or be at any time accepted by the Customs authorities in payment of duties.

Drawbacks on goods re-exported from Japan.

ARTICLE X.

The same duties shall be paid on the importation into the dominions of either of the High Contracting Parties of any article which is, or may be, legally importable therein by native or foreign subjects or citizens, whether such importation shall be in Japanese or vessels, The same duties shall be paid on the exportation from the dominions of either of the High Contracting Parties of any article which is, or may be, legally exportable therefrom by native or foreign subjects or citizens, whether such exportation shall be in Japanese or vessels.

Duties on imports and exports to be the same, whether in Japanese or British vessels.

All articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels, and reciprocally all articles which are or may be legally imported into the ports of the dominions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

Importation and exportation. British and Japanese vessels to be on equal footing.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions or possessions of either of the Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese or in British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

ARTICLE XI.

The coasting trade of both the Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws of Great Britain and Japan respectively. It is, however, understood that British subjects in Japan, and Japanese subjects in the dominions and possessions of Her Britannic Majesty shall enjoy immediately and unconditionally in this respect the rights which are, or may be, granted under such laws to the subjects or citizens of any other country.

Coasting trade excepted, subject to most-favoured-nation treatment.

A Japanese vessel, laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Britannic Majesty, and a British vessel, laden in a foreign country with cargo destined for two or more ports in Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and Custom-house Regulations of the two countries.

Cargoes destined for two or more ports in either country.

British vessels may
carry cargoes
between Treaty
ports.

But the Imperial Japanese Government makes the following concession in addition that British vessels may carry cargoes between any of the ports hereinafter mentioned, namely, Yokohama, Kobé, *Hiôgô*, Osaka, Nagasaki, Niigata, and Hakodate, and Nagasaki. *British vessels may also take on board at all Japanese ports cargoes destined for immediate carriage to any port other than a Japanese port.*

ARTICLE XII.

Coasting trade.
British ships may
be chartered under
certain conditions.

The Imperial Japanese Government agrees that for a period of ten years from the time the present Treaty comes into force British subjects shall be entitled to charter ships to Japanese subjects for employment *employ their ships on charter in the coasting trade of Japan*, subject, however, to the observance of the following stipulations.

May be chartered
by Japanese, or
Japanese and
British jointly.

No *foreign British* vessels shall be permitted to engage in the coasting trade of Japan under the provisions of this Article except such as are *bonâ fide*, and in whole chartered by Japanese subjects alone, or by British and Japanese subjects trading jointly, either in partnerships or Companies.

'Charter-permits'
to be issued by
Customs authorities
of port of charter.

Any Japanese subject person or persons so desiring to charter a *foreign British* vessel for the coasting trade shall apply in writing to the Customs authorities of the port of charter, setting forth in his application all the particulars relating to the vessel, so far as it is possible to give them, and the name and nationality of the master. The application shall be accompanied by a draft of the charter-party, to be signed by the owner, master, or agent of the vessel; this draft shall mention the object of the charter, its duration, and the amount of charter-money to be paid. Upon the receipt of this application the Customs authorities shall, upon the payment of a fee of 50 yen, issue a permit, to be called the "charter-permit."

Duration of
charter.

The term for which *foreign British* vessels may be chartered shall not exceed twelve calendar months. At the expiration of the charter, the charter-permit shall be returned to the Customs authorities of the port of charter. The charter may, however, be renewed and a new charter-permit obtained upon the payment of a further fee of 50 yen, and upon application being made in the same manner as in the case of the original charter.

Fees on charter.

In addition to the foregoing fee, chartered *British foreign* vessels shall pay from the date of first clearance under charter tonnage and light dues at the rate of 2 sen per ton for every month, or fraction of a month, during which their charters continue.

Chartered vessels
must carry
distinguishing flag.

Such chartered *foreign* vessels shall carry a distinguishing flag to indicate that the vessels are so chartered by Japanese subjects.

Must carry mails.

They shall, in the same manner as Japanese vessels, be obliged to carry mail^s when required to do so by the Japanese postal authorities. But such vessels shall under no circumstances, be allowed to carry mails without permission from the said authorities.

May only engage
in coasting trade.

Such chartered *foreign* vessels shall only be permitted to engage in the coasting trade. When going abroad the charter-permit shall be surrendered to the Customs authorities of the port of clearance, and all such goods as may have been shipped at any port while the vessel was so chartered shall be subject to the prescribed export duties.

Subject to Trade
Regulations.

Such chartered *foreign* vessels are subject to the Trade Regulations, in so far as *such* those Regulations are applicable, but their charter-permits shall, when in port, be deposited with the Customs authorities.

Most-favoured-
nation treatment.

It is, however, expressly understood that any more favourable treatment in these respects which is now, or may hereafter be, granted by Japan to the ships or subjects or citizens of any other nation, shall be extended immediately and unconditionally to British ships or subjects.

ARTICLE XIII.

Wrecks, salvage,
&c.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall

be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the district of the occurrence, or, if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of British vessels, wrecked or cast on shore in the territorial waters of the Japanese Empire, shall take place in accordance with the laws of Japan; and reciprocally, all measures of salvage relative to Japanese vessels, wrecked or cast on shore in the territorial waters of Her Britannic Majesty, shall take place in accordance with the laws of Great Britain.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls, or Consular Agents, upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses, which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

ARTICLE XIV.

If any seaman should desert from any ~~man-of-war or~~ merchant-ship belonging to either of the Contracting Parties within the territory of the other, the local authorities shall be bound to give every assistance in their power for the apprehension and handing over of such deserter, on application to that effect being made to them by the Consul of the country to which the ship of the deserter may belong, or by the deputy or representative of the Consul.

Deserters from
merchant-ships.

~~It is understood that this stipulation shall not apply to the subjects or citizens of the country where the desertion takes place.~~

ARTICLE XV.

Mail-steamers visiting Japanese ports shall not, on any account, be diverted from their destination, nor be subjected to seizure, detention, embargo, or "Arrêt de Prince."

Privileges of mail
steamers.

Passengers on mail-steamers who do not see fit to land during their stay in a Japanese port shall not under any pretext be removed from the vessel, nor be subjected either to search or to the formality of the visâ of their passports. However, the Japanese authorities may claim through the Consular authority of the ship's nationality the expulsion from on board the ship of any individual who may be pursued in virtue of a regular warrant for crimes or delicts against common law, and who may have taken refuge in Japan on board a mail steamer. This expulsion cannot be refused. In case of necessity, search may be made by the local authorities with the assistance of the Consul or his delegate, or after the Consul has been duly informed beforehand.

Japanese subjects on board of a British mail-steamer who may be pursued for a crime or delict against common law within the competence of a Japanese Court can be claimed, and shall, upon the presentation of a regular warrant, be expelled from on board as stated above, although they may not have embarked in Japan.

On no account shall the execution of these measures delay the departure of the vessel. Mail-steamers may enter and leave the ports of Japan at all hours of the day and night.

All facilities shall be granted to them for assuring the rapid dispatch of their business and their safety during their stay in port.

Mail-steamers shall be subjected, in all that regards their commercial transactions, to the Regulations of Commerce and Navigation in so far as those Regulations do not conflict with the above stipulations.

Mail-steamers must be represented by a responsible agent residing in Japan.

ARTICLE XVI.

British vessels entering Japanese ports shall pay tonnage and light dues at the time of entry at the Custom-house according to one of the following rates at the option of the masters, owners, or agents of such vessels :—

1. 25 sen per ton for one Japanese port of call only.
2. 30 sen per ton for a period of two months, with the option to call at any number of Japanese ports, but at no foreign port or ports.
3. 80 sen per ton for a period of six months, with the option to call at any Japanese or foreign port or ports.

4. Mail Companies may, if they desire, free their vessels from tonnage and light dues for seven consecutive schedule-voyages on paying a duty of 80 sen per ton on the average tonnage of the vessels making such voyages. This payment must be made at the time of the first entry. It shall be calculated according to the schedule arrangement of the Company, on condition that reimbursement shall be made either by the Customs authorities or by the Mail Companies, as the case may be, at the time of the seventh entry, of any excess or deficiency in the dues paid, arising from any changes which may have taken place in the vessels employed.

Mail-steamers are steamers arriving or departing at regular scheduled dates, and carrying mail-bags.

Mail Companies are Companies owning or working steamers arriving or departing at regular scheduled dates and carrying mail-bags.

The dutiable tonnage of British vessels shall be the net tonnage according to the Rules adopted by the Japanese Government for the measurement of vessels, as shown by the certificate of registry or other papers.

The following vessels shall be exempt from the payment of tonnage and light dues in Japan :—

1. Men-of-war.
2. Pleasure yachts and pilot-boats.
3. Fishing-vessels having no cargo on board.
4. Vessels of less than 20 tons burden.
5. Vessels putting into port in distress or for repairs, provided they do not engage in trade.
6. Vessels entering and clearing in ballast.
7. Vessels leaving port within forty-eight hours after anchoring, provided they do not land, ship, or tranship cargo, or land or take on board passengers or mails. Such vessels shall, however, pay a Customs fee of 15 yen.

The fees hitherto paid on the entrance and clearance of British vessels in Japanese ports shall be no longer levied.

ARTICLE XVII.

No duties of tonnage, harbour, pilotage, light-house, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, Corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE XVIII.

For the period of five years from the date this Treaty goes into operation, the jurisdiction exercised by Courts over subjects and property shall be territorially limited to the jurisdiction of foreign Settlements of Hakodate, Tôkiô, Yokohama, Osaka, Kobé, and Nagasaki, and to such of the ports and harbours thereof as are now open to vessels, and to the other localities adjacent to such foreign Settlements where by Treaty or other express engagements subjects are now permitted permanently to reside and rent land, and from the same date everywhere in Japan outside of the limits of the above-named foreign Settlements, ports, harbours, and localities, Japanese Courts shall have and exercise complete and exclusive jurisdiction, both civil and criminal, over subjects and property, in accordance with the laws of Japan. At the expiration of the five years aforesaid all the jurisdiction then exercised by Courts in Japan, and all the exceptional privileges, exemptions, and immunities then enjoyed by subjects as a part or as appurtenant to such jurisdiction shall absolutely and without notice wholly cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

The jurisdiction of Courts shall be continued until final decision in respect of all actions "lis pendens" in said Courts at the time fixed for the abolition of Consular jurisdiction.

For the period of five years from the time this Treaty goes into operation the jurisdiction exercised by British Consular Courts over British subjects and their personal property shall remain in force within the Treaty limits of Tôkiô, Kobé, Osaka, Nagasaki, Nûgata, Hakodate, and Yokohama, and from the same date everywhere in Japan outside the above limits, Japanese Courts shall have and exercise (with the exception hereinafter provided) complete and exclusive jurisdiction, both civil and criminal, over British subjects and property, in accordance with the laws of Japan.

British Consular jurisdiction to remain in force for five years within Treaty limits.

Japanese Courts shall, moreover, exercise jurisdiction over all real property of British subjects outside the foreign Settlements from the time this Treaty goes into operation, but in matters of personal status all British subjects, whether resident or domiciled within or without Treaty limits, shall be subject to British Courts only.

At the expiration of the five years aforesaid all the jurisdiction then exercised by British Courts in Japan, and all the exceptional privileges, exemptions, and immunities then enjoyed by British subjects as a part of or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

British Consular jurisdiction to cease after five years.

Nothing in this Treaty shall apply to or in any manner affect any suit or proceeding, either of a civil or criminal nature, pending at the time fixed for the abolition of Consular jurisdiction outside Treaty limits, or throughout the whole of Japan, as the case may be.

ARTICLE XIX.

The following Rules are laid down for the purpose of determining internationally the jurisdiction of Japanese Courts:—

Jurisdiction of Japanese and British Courts. In criminal matters. In civil matters.

(i.) In criminal matters, jurisdiction shall be determined by the place of commission of the offence.

(ii.) In civil matters jurisdiction shall be determined alternately in the order named:—

(a.) In actions "ex contractu."

1. By the place of performance.

2. By the domicile of the defendant; or

3. By the place of sojourn of the defendant at the time the summons is served.

(b.) In actions "ex delicto."

1. By the place where damages are suffered; or

2. By the place where the articles are situated.

(c.) In all other personal actions.

1. By the domicile of the defendant; or

2. By the place of sojourn of the defendant at the time the summons is served.

(d.) In real and mixed actions, and in probate, administration, and bankruptcy proceedings, by the place where the property is situated.

In the event Japanese and Courts should in any case have, under the foregoing Rules, concurrent jurisdiction, such concurrent jurisdiction shall become exclusive in the Courts first taking jurisdiction.

In the matter of the service of process and the execution of judgments, decrees, and sentences, Japanese and British Courts shall be auxiliary to each other.

Rules for determining the jurisdiction of Japanese and British Courts.

During the period of five years mentioned in Article XVIII the following Rules are laid down for the purpose of determining the jurisdiction of Japanese and British Courts:—

1. In criminal matters the jurisdiction shall be determined by the place of commission; but, in the event of the offender escaping before or during the proceedings, by the place of his arrest.

2. In civil cases the jurisdiction shall be determined in the following manner:—

(a.) By the place of performance of contracts as shown by the contracts themselves when those contracts are in writing.

(b.) In case no place of performance is designated, and in all other personal actions, from whatever cause arising, by the domicile of the defendant; and in case the defendant has no domicile, by the place of his sojourn at the time when the writ of action is served.

(c.) In personal actions where there are several defendants, by the domicile of any one of them, at the choice of the plaintiff; and if such defendant has no domicile, by the place of his sojourn at the time when the writ of action is served.

(d.) In cases where Associations are concerned, by the district in which the Association which is defendant in the case has its head office; but any claim arising out of the business of a branch office may be brought at the place of such branch office.

(e.) In matters relating to deceased estates, by the place of (last) domicile of the deceased.

(f.) In cases where real property is concerned, the action shall be brought before the Court of the place where the real property in question is situated; the same rule shall apply to personal actions which relate to the ownership or usufruct of real property.

Actions concerning real property situated outside the limits in which foreigners have hitherto had the right of holding real property shall come under the exclusive jurisdiction of the Japanese Courts.

In the event of Japanese and British Courts having in any case under the foregoing Rules concurrent jurisdiction, such concurrent jurisdiction shall become exclusive in the Courts first taking jurisdiction.

In the matter of the service of process Japanese and British Courts in Japan shall be auxiliary to each other.

In the matters of execution of judgment, decrees, and sentences, Japanese and British Courts in Japan shall render to each other such assistance as by international law and the law of Japan and Great Britain the Courts of each country are bound to render to the Courts of the other.

Besides the execution of judgments the Japanese and British Courts in Japan shall, upon due application, render each other further legal assistance, especially for the determination and elucidation of facts; this applies equally to the summoning of witnesses who are residing in the respective districts to give evidence before a Court of the other State in that district.

ARTICLE XX.

Optional submission to Japanese civil jurisdiction before abolition of Consular jurisdiction.

In case any British subjects should at any time in advance of the final abolition of British Consular jurisdiction desire to submit themselves exclusively to Japanese civil jurisdiction, they may do so by making and filing, with their own proper Consular authorities, and with the proper local Japanese authorities, formal declarations to that effect; but no such submission shall deprive the British Consular Courts of Jurisdiction over such subjects which they would otherwise have in connection with liabilities incurred prior to such submission.

ARTICLE XXI.

Consular officers to enjoy most-favoured-nation treatment.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents, in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties, without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents shall may exercise ~~whatever~~ all functions, and shall enjoy ~~whatever~~ all privileges,

exemptions and immunities which are, or may hereafter be, granted there to Consular officers of the most favoured nation.

ARTICLE XXII.

The Contracting Parties agree that in all matters relating to commerce and navigation to travel through, or to residence in, their respective dominions, any privilege, favour, or immunity whatever, which either Contracting Party has actually granted, or may hereafter grant, to the Governments, subjects, or citizens of any other State, shall be extended to the Government, subjects, or citizens of the other Contracting Party gratuitously, if the concession in favour of that other State shall have been gratuitous, and on the same or equivalent conditions, if the concessions shall have been conditional.

Most-favoured-nation treatment to be conditional.

The Contracting Parties agree that, in all that concerns commerce, navigation, jurisdiction, or any other matter whatsoever, any privilege, favour, or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, subjects, or citizens of any other State, shall be extended immediately and unconditionally to the Governments or subjects of the other Contracting Party; it being their intention that each country shall be placed in all respects by the other on the footing of the most favoured nation.

Most-favoured-nation treatment.

ARTICLE XXIII.

All privileges and immunities which British subjects or citizens have hitherto enjoyed in Japan, in virtue of the existing Treaties and Arrangements, are maintained during the continuance of Consular jurisdiction, in so far as they are not abrogated by the stipulations of this Treaty; and from the date Consular jurisdiction ceases to exist all such privileges and immunities shall be regarded as abrogated, unless maintained by this Treaty.

Privileges and immunities in Japan to be retained till cessation of Consular jurisdiction.

ARTICLE XXIV.

During the continuance of Consular jurisdiction subjects or citizens in Japan shall, within the territorial limits of such jurisdiction, be liable only to such taxes, rates, fees, duties, and charges as are imposed upon Japanese subjects in respect of industrial and manufacturing enterprises. From the date of the exchange of ratifications of this Treaty, outside of the territorial limits of Consular jurisdiction, and from the date Consular jurisdiction ceases to exist, throughout the entire Empire, subjects or citizens shall be liable to the same taxes, rates, fees, duties, and charges as Japanese subjects.

If during the period Consular jurisdiction still continues, British subjects manufacture, fabricate, or prepare within the Settlements, fish, "sake," tobacco, "shoyu," "mirin," wine, beer, or spirits, they shall pay the same dues and taxes as Japanese subjects engaged in a similar business.

Taxes, &c., in Japan. National treatment.

Any British subject who desires to retail wine, beer, or spirits must take out the same licence and pay the same licence fee as Japanese subjects; this licence can never be refused without just and reasonable cause.

From the date of the entire cessation of Consular jurisdiction, in conformity with Article XVIII of this Treaty, British subjects shall be liable to the same taxes, rates, fees, duties, and charges as Japanese subjects.

ARTICLE XXV.

Simultaneously with the ~~abolition~~ entire cessation of Consular jurisdiction in Japan, in conformity with Article XVIII of this Treaty, the titles to all real property then held or rented by British subjects or citizens, either jointly or severally, as trustees, in trust or otherwise, from the Japanese Government under leases in perpetuity, shall be converted into absolute titles, and the lessees of such real property shall thereupon become absolute owners thereof, as trustees or otherwise as the case may be, and shall, upon surrendering their leases, obtain title-deeds free of cost from the Japanese Government. The rents hitherto paid on such real property shall then cease to be collected, and in lieu thereof such real property shall be subject to the same Imperial and local taxes as are imposed in respect of similar real property owned by native

Titles to real property.

subjects, and shall also in all other respects be subject to the laws of Japan relating to real property.

It is, however, understood that, in all cases where a reduction in rent on land held under leases in perpetuity has been made by the Japanese Government on account of the uses to which such land has been devoted, the taxes hereafter to be levied in lieu of such rent shall not exceed the amount of such reduced rent.

When the foregoing changes in the tenure of real property have been effected, the several foreign Settlements shall be completely incorporated with the respective Japanese communes. They shall thenceforth form integral portions of the municipal system of Japan, and the competent authorities shall assume all municipal obligations and duties in respect thereof. At the same time, the municipal funds and property belonging to such Settlements shall be transferred to the said Japanese authorities.

Such transfer of funds or property or vesting of title shall only be made after all outstanding municipal contracts or liabilities of said foreign Settlements have been satisfied or accepted by the competent Japanese authorities as their own contracts or liabilities, in accordance with the original terms and conditions of such contracts or liabilities. British subjects who for the preceding six years have been domiciled and have possessed real property in Tôkiô, Kobé, Osaga, Nagasaki, Niigata, Hakodate, and Yokohama, shall have the right to take part in municipal elections there, as electors, under the same conditions as Japanese subjects.

All lands which have been hitherto given by the Japanese Government free of rent for public purposes in the foreign Settlements shall, subject to the right of eminent domain, be permanently reserved, free of all taxes and charges, for the public purposes for which they were originally set apart.

ARTICLE XXVI.

The High Contracting Parties agree that the Regulations annexed to this Treaty,* namely, the Trade, Government, and ~~Private and Government~~ Bonded Warehouse, and Harbour Regulations, shall be regarded as forming a portion of the same. *Similarly the engagement contained in the two notes signed by the Japanese Minister for Foreign Affairs, and annexed to this Treaty, shall be regarded as having the same force and validity as if the said notes formed an integral portion of the Treaty.*

ARTICLE XXVII.

The stipulations of the present Treaty shall be applicable, so far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

*India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.*

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's Representative at Tôkiô, within two years from the date of the exchange of ratifications of the present Treaty.

ARTICLE XXVIII.

The present Treaty shall come into force one month after the exchange of the ratifications, which shall take place at Tôkiô within one year after its signature, and shall remain in force for twelve years after the exchange of ratifications.

* See pp. 41-49, 102, and 114. Regulations for Private Bonded Warehouses not printed.

Foreign Settlements
to be incorporated
with Japanese
communes.

Public lands to be
free of taxes.

Trade, Govern-
ment, and Private
Bonded Warehouse,
and Harbour
Regulations, and
drafts of two notes
annexed to Treaty.

Accession of British
Colonies.

Duration.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date of the exchange of ratifications, to give notice to the other of its intention to terminate this Treaty, and at the expiration of twelve months after such notice is given, this Treaty shall wholly cease and determine. Termination.

In witness whereof, the respective Plenipotentiaries have signed and sealed this Treaty in quadruplicate, two copies being in the Japanese and two copies in the English language. All of these copies have the same meaning and intent, but in case of conflict the English text shall decide.

Done at the city of Tôkiô, this day of the month year
of Meiji, corresponding to the day of , in the year of the
Christian era.

Draft of Note.

Department of Foreign Affairs,
Tôkiô,

(Confidential.)

The Undersigned, His Imperial Majesty's Minister for Foreign Affairs, taking into consideration the stipulations contained in the Treaty this day concluded between the Governments of Japan and *Great Britain*, in reference to the final total abolition of *British* Consular jurisdiction in Japan, deems it proper to announce that His Imperial Majesty's Government are now actively engaged in the labour of elaborating the following Codes, in accordance with *Western principles* :—

1. Criminal Code.
2. Code of Criminal Procedure.
3. Civil Code.
4. Commercial Code ; including bankruptcy laws, and laws relating to shipping and bills of exchange.
5. Code of Civil Procedure ; including the procedure to be followed in commercial matters.

It is confidently expected that this great work will be completed not later than next year. The Imperial Government fully appreciate the necessity of bringing the work of codification to a successful conclusion some time in advance of the final abolition of *British* Consular Courts, and in the event it is of its being found impossible from any cause to complete and issue the Codes above enumerated within two years after the new Treaty shall have gone into operation, His Imperial Majesty's Government will then be compelled to request the *British* Government to consent to the postponement of the date named in the Treaty for totally abolishing *British* Consular jurisdiction until at least three years after the Codes in question shall have been promulgated.

The determination of His Imperial Majesty's Government to employ for some years a number of foreign jurists to act in the capacity of Japanese Judges has convinced the Imperial Government of the necessity of rendering the ~~substantive~~ *Laws and Police Regulations* of the Empire into some European language. The English language being the European language in most common use in Japan, the Undersigned begs to state, on behalf of His Imperial Majesty's Government, that authentic English translations of the Codes in question will be made public not later than one year and a-half after they are promulgated.

The Undersigned has the honour to add, ~~in conclusion~~, that the system of issuing authentic translations of the *Laws and Police Regulations* will be maintained so long at least as the services of Judges of European or American origin are continued, and that the English language shall be declared to be the foreign judicial language of all Courts in which Judges of foreign nationality sit.

The Undersigned, &c.

Draft of Note.

Department of Foreign Affairs,
Tôkiô,

(Confidential.)

The Undersigned, His Imperial Majesty's Minister for Foreign Affairs, has the honour to announce to that the Imperial Government have ~~reached~~ ~~the determination~~ determined to appoint a number of foreign jurists to act in the capacity of Judges in the Appeal Courts ("*Kuso In*") and in the Supreme Court ("*Dai Shin*")

In"), and the Undersigned is authorized to state, on behalf of His Imperial Majesty's Government, that when any proceedings, either civil or criminal, in which a British subject or citizen is directly interested as a defendant or accused are heard in the Supreme Court, either in the last or first and last instance, any of the above-mentioned Courts, a majority of the Judges hearing such proceedings will be Judges of European or American origin.

In order to indicate the extent to which British subjects or citizens will be able to take advantages of the proposed system, it is proper for the Undersigned to say that, [under the new judicial organization of the Empire, all criminal cases in which the punishment exceeds two months' imprisonment and a fine of 50 yen, or exceeds a fine of 100 yen without imprisonment, may be taken either on appeal or in first and last instance to the Supreme Court, and that generally all civil cases where the amount involved exceeds 100 yen may in like manner be carried on appeal to the Supreme Court].*

It is impossible for the Imperial Government to declare in advance how many foreign jurists will be thus appointed employed as Japanese Judges, but the Undersigned does not hesitate to assure that a sufficient number will be employed to perform with thoroughness and promptitude the duties which will be assigned to them.

The gentlemen to be selected to fill these honourable positions will, subject only to the exception of dismissal for cause, be given a fixed tenure of not less than four years, and in all other directions be such as in their own countries would be eligible to be appointed Judges there. They will, subject only to the exception of dismissal for cause at the instance of a disciplinary Court composed of the members of foreign nationality of the Supreme Court, be given a fixed tenure of six years at least, and will not be eligible for reappointment. In all other directions equal care will be taken to secure and encourage their complete independence and impartiality. His Imperial Majesty's Government are, moreover, of opinion that it would be extremely undesirable to permit the Judges of European or American origin to remain even for a limited period subject to the jurisdiction of Courts foreign to those in which they will be called upon to sit as Judges, and for this reason His Imperial Majesty's Government deem it essential that the persons selected for the positions should, in pursuance of the stipulations contained in the Treaty which has this day been concluded between the Governments of Japan and Great Britain, make formal submission to the jurisdiction of the Imperial Courts of Justice.

The new system which the Undersigned has had the honour briefly to outline will be put into active operation at the same time the Treaty above referred to takes effect, and it will be continued in force without circumscription for the period of twelve years.

While His Imperial Majesty's Government will be fully prepared to maintain the new system beyond the period named, in the event it is found that that course is necessary, they would nevertheless desire to have it understood that they reserve to themselves the faculty of determining at the proper moment whether or not such necessity actually exists.

The Undersigned begs to add, in conclusion, that this measure has been adopted primarily for the purpose of improving the judicial system of the Empire. His Imperial Majesty's Government, however, venture to hope that it will be regarded as a sufficient guarantee that, under the new Treaty, the rights and interests of Her Britannic Majesty's Government and subjects will be fully respected and protected.

The Undersigned, &c.

* The passage in brackets to be modified so as to include the privileges which will result from the addition of Judges of foreign nationality in the Appeal Courts.

No. 4.

The Marquis of Salisbury to Mr. Fraser.—(Substance telegraphed.)

Sir, *Foreign Office, July 27, 1889.*
I AUTHORIZE you, on receipt of my despatch of the 21st ultimo, to communicate a copy of the counter-draft of Treaty therein inclosed to the Japanese Government, and to state that Her Majesty's Government trust that it may be possible to come to an early agreement as to the terms of the Treaty and its Annexes, for the negotiation of which you have been furnished with full powers.

You should report by telegraph when this has been done, in order that a copy of the counter-draft may also be communicated to the Japanese Chargé d'Affaires at this Court.

If it should become necessary for you to apply to the Japanese Government for passports to enable British subjects to travel in the interior of the country, you should accompany your application with a statement to the effect that under Article XXIII of the Treaty of 1858 Her Majesty's Government consider themselves entitled to claim free and equal participation in all the privileges, immunities, and advantages granted to the subjects of Mexico by the Treaty between that Republic and Japan which has just been published, including the rights of travelling, residence, &c., granted in Article IV, and that your application is made without prejudice to that claim.

You should, however, make it clear that no change of attitude, as regards the desire of Her Majesty's Government to conclude a Treaty satisfactory to both parties, is implied by this reservation of rights.

I am, &c.
(Signed) SALISBURY.

No. 5.

The Marquis of Salisbury to Mr. Fraser.—(Substance telegraphed.)

(Extract.) *Foreign Office, November 12, 1889.*

I HAVE been in communication with the Board of Trade with a view to obtain their opinion on the proposed draft Treaty between this country and Japan in the form in which it now stands, with the several amendments suggested on either side since the Treaty was originally submitted for the consideration of Her Majesty's Government by that of Japan.

Your discussions with the Japanese Ministers have left but few points of real importance outstanding, and the Board of Trade agree with me in desiring that the Treaty may be signed at an early date.

No. 6.

Mr. Fraser to the Marquis of Salisbury.—(Received November 28.)

My Lord, *Tōkiō, October 28, 1889.*

THE Cabinet Council from which Count Okuma was returning when he was attacked appears to have been a rather stormy one. The point in debate, I am told, was the question whether the date originally fixed for the coming into operation of revised Treaties, the 11th February next, should or should not be maintained; some Ministers wishing to postpone it in the belief that not enough progress had been made to warrant a hope of the Treaties being ready at the time fixed, but desiring to give every opportunity for their completion; others rather inclined to throw aside Treaty revision altogether, and others, lastly, determined to insist upon observing the exact date, whatever the consequences might be.

In a few days from Count Okuma's accident, it began to be rumoured that the

whole Ministry had resigned. It was notorious that considerable dissension existed in the Ministry upon almost every conceivable subject, but hitherto the impartial influence of a few had been able to keep the whole Cabinet together. This difficulty, in regard to the prompt accomplishment of Treaty revision, appears to have sufficed to break up the common understanding. Count Ito, President of the Council, and Count Inouyé, Minister of Agriculture, both members of the Chohsin clan, and persons connected intimately with the earlier attempts at Treaty revision, had sent in their resignations before the Cabinet meeting. That of Count Ito has been accepted by the Emperor, but nothing is known yet as to the fate of Count Inouyé's. Finally, the Prime Minister, Count Kuroda, has given up his post. The result, hitherto, is that Prince Sanjo, Prime Minister from the establishment of the present Imperial system till 1886, has succeeded Count Kuroda as the Head of the Cabinet, whilst Count Kuroda is to preside over the Council in Count Ito's place.

It is impossible to say at present how far the disorganization of the Ministry may go; whether the changes already made will suffice to make things go smoothly or not; or what may be the final result in regard to Treaty revision.

I have, &c.

(Signed) HUGH FRASER.

No. 7.

Mr. Fraser to the Marquis of Salisbury.—(Substance telegraphed.)

My Lord,

Tókió, November 14, 1889.

ALL negotiation in reference to Treaty revision has ceased since the disablement of Count Okuma, resulting from the attack made upon him on the 19th of last month.

I went this morning to the Ministry for Foreign Affairs, in order to state to Viscount Aoki, the Acting Minister, your Lordship's desire to conclude the negotiations, signified to me yesterday by telegraph, and to inquire what steps this Government intended to take in the matter. I had heard a good deal about an intention to adjourn the whole question, either for a fixed time or indefinitely, and to lay the blame of failure to complete the new Treaties by the appointed day to the account of England and the British demands. I had already sounded Viscount Aoki, before the receipt of your Lordship's despatch, as to his willingness to speak to me on the subject. He had replied that he preferred not to do so in the uncertainty of the actual situation; but on learning your Lordship's wishes I thought it my duty to renew the subject.

His Excellency said that he was unable, as yet, to tell me anything positive about Treaty revision. Possibly all would have to remain *in statu quo* until the recovery of Count Okuma, who was making the best progress, and might be able to resume the transaction of business in a few weeks, or, perhaps, some other Minister might be directed to go on with the affairs he had left unfinished. My message should certainly be repeated in the proper quarter, and an answer given me as soon as possible.

I have, &c.

(Signed) HUGH FRASER.

No. 8.

The Marquis of Salisbury to Mr. Fraser.

(Telegraphic.)

Foreign Office, November 28, 1889, 1:20 P.M.

YOUR telegram of 14th November: Treaty revision.

What is reply of Cabinet?

No. 9.

Mr. Fraser to the Marquis of Salisbury.—(Received December 28, 3.21 P.M.)

(Telegraphic.)

Tókió, December 27, 1889, 1.15 P.M.

TREATY revision. Japanese Minister for Foreign Affairs wishes to withdraw notes without equivalent, and to modify Convention slightly. I have told him that, in that case, he must make fresh proposals in London. Operation of Treaties already signed is adjourned indefinitely.

No. 10.

The Marquis of Salisbury to Mr. Fraser.

Sir,

Foreign Office, January 16, 1890.

THE Japanese Minister called at the Foreign Office on the 13th instant, and made a confidential verbal communication to the effect that the Japanese Government had found it necessary to introduce certain amendments into their proposals for the conclusion of a new Treaty between Japan and this country.

These amendments are as follows:—

That the diplomatic notes which were to accompany the proposed Treaty shall be withdrawn.

That the right of foreigners to own real estate outside the foreign Settlements shall only accrue upon the final abolition of Consular jurisdiction; and

That there shall be reciprocal reservation as to the right of aliens to be placed on a national footing, more especially in matters relating to the ownership of personal property, such, for instance, as shares in Steam-ship Companies, Government and National Banks, &c.

Viscount Kawasé stated that a verbal communication to this effect had been made to you by the Japanese Foreign Minister, and that it was understood that you had reported on the subject by telegraph.

Viscount Kawasé added that the Foreign Minister would, as soon as possible, explain to you why these amendments were necessary, and was confident that the explanations would prove satisfactory.

In the meanwhile, he asked Her Majesty's Government to suspend their judgment on the proposals until the situation has been fully explained by the Japanese Government.

I am, &c.

(Signed) SALISBURY.

No. 11.

Mr. Fraser to the Marquis of Salisbury.—(Received February 7, 1890.)

My Lord,

Tókió, December 28, 1889.

HAVING received two telegraphic messages from your Lordship since Count Okuma's disablement, evincing a desire that I should hasten the conclusion of the revised Convention with Japan, I thought it right, when the late Minister of Foreign Affairs had sufficiently recovered from his wound, and his resignation had been publicly notified, to apply to Prince Sanjo, the Prime Minister, for an interview, in which I intended to ask for definite information as to the intentions of the Government in regard to the unfinished negotiation.

Prince Sanjo gave me an appointment for Christmas Day; but on Christmas Eve there appeared an official announcement of his retirement from office, the appointment of Count Yamagata to succeed him, and of Viscount Aoki to succeed Count Okuma as Minister for Foreign Affairs. It was not worth while to trouble his Highness farther, so I excused myself, wrote to the new Minister for Foreign Affairs instead, and consequently had an interview with him yesterday, the 27th.

I was accompanied by Mr. Gubbins as an interpreter, and I have the honour to

inclose herewith a Memorandum giving his account of what passed. In such circumstances, the interpreter is apt to know more exactly than any one else concerned what has really taken place.

The conversation was very long, for Viscount Aoki expatiated a good deal upon the embarrassment which the late political agitation on the subject of Treaty revision had created for the Administration. He told me that Prince Sanjo had come to an agreement with the Governments of Russia and Germany, to the effect that the Conventions which those Empires have lately contracted with Japan should have their date of operation deferred indefinitely. He then explained that the Japanese Ministers (all of whom, except himself and Twamura, were members of the late Kuroda Cabinet and colleagues of Count Okuma) wished to modify the 1st Article of the draft Convention in two ways: to defer the right of foreigners to possess real estate in Japan until the final cessation of Consular jurisdiction; and, instead of according national treatment to aliens, to restrict the subjects of each State to such rights only in this country as the laws of that State may give to Japanese within its territory. They wished also to withdraw the draft notes entirely, the particular points objected to in them being the engagement to employ foreigners as Judges, and the engagement to promulgate the Codes within a given time.

It may be taken for granted that the desired changes in the text of the Convention have reference, in the first instance, to a sort of panic that occurred a little before the attack upon Count Okuma on the question of foreign ownership of land in the interior; and, in the second, to certain difficulties which the Japanese Government has lately experienced in regard to the new Convention with the United States of America, that Convention containing a reciprocal stipulation on the same point, to which American law denies effect at home.

Although one of them was unusual and embarrassing, and the other suggested a doubt in the minds of the Imperial Ministers themselves as to the complete readiness of Japan for unrestricted foreign intercourse, Viscount Aoki's proposals in regard to the text of the Convention did not appear to make farther negotiation impossible, but his suggestion in regard to the notes changed the aspect of affairs. I asked his Excellency what equivalent he intended to give for the two notes if they were cancelled, and he said that he proposed to withdraw them unconditionally. I could only reply that, in such a case, he must make fresh proposals to your Lordship in London on his own responsibility. I had stretched my credit quite as far as I dared already in the course of negotiations with Count Okuma upon the scheme he had offered a year since which formed the sole basis of my instructions in the matter of Treaty revision, and could go no farther.

I have, &c.
(Signed) HUGH FRASER.

Inclosure in No. 11.

Minutes of an Interview between Her Majesty's Minister and Viscount Aoki, Minister for Foreign Affairs, at the Foreign Office, Tôkiô, on December 27, 1889.

MR. FRASER reminded Viscount Aoki of the interview which had taken place between them in November last. On that occasion, in answer to his inquiries as to the attitude of the Japanese Government in regard to Treaty revision, Viscount Aoki had stated that the situation was very embarrassing, that he had not been concerned in the negotiations which had been conducted with the various foreign Governments, and therefore knew nothing of the question; that Count Okuma was still too ill to transact business, and that the Cabinet had not yet decided whether, on his recovery, negotiations should be resumed by him, or handed over to his successor, whoever he might be; and that, under all these circumstances, he was not able to make any definite statement as to the policy of the Japanese Government. The position, Mr. Fraser observed, had now changed. Count Okuma had recovered and had resigned, and Viscount Aoki had been appointed to succeed him as Minister for Foreign Affairs. He therefore trusted Viscount Aoki was now in a position to enlighten him as to the course which the Cabinet intended to pursue in regard to the negotiations between Great Britain and Japan which had been interrupted by the accident to his predecessor.

Viscount Aoki replied that the question of Treaty revision was surrounded with great difficulties, and that he was sensible of the heavy responsibility he incurred by under-

taking to carry on the work of negotiations with Treaty Powers. He trusted that in the execution of this arduous task, which he had been reluctant to accept, he might count on the friendly support of Her Majesty's Minister.

In answer to a further inquiry from Mr. Fraser whether the Japanese Government desired to introduce any modifications into the proposals which had formed the basis of negotiations, Viscount Aoki stated that he had been instructed by the Cabinet to propose several modifications, which, however, though of an important character, would not go so far as to disturb the basis of the negotiations.

Her Majesty's Minister was aware of the serious excitement which had been produced in Japan by the disclosure of the terms of the Treaties signed with the United States, Germany, and Russia. Two points in those Treaties had aroused the most violent opposition—the employment of foreign Judges and the fixing of a date for the completion of the Codes. The public in Japan considered that these stipulations were injurious to the national dignity, and the delay in the conclusion of the negotiations with Great Britain, France, and other Great Powers enabled the agitation to attain such formidable dimensions that the Government felt it would be unwise to disregard it, and that to persevere with Treaty revision on the present lines might lead to an outbreak of popular feeling against foreigners. Sooner, therefore, than expose themselves to this imminent risk, they preferred to propose the following changes in the scheme of revision :—

1. The withdrawal of the diplomatic notes, which would involve the renunciation of all judicial guarantees.
2. The postponement of the right of foreigners to hold real estate until the date when Consular jurisdiction should have ceased to exist.
3. The modification of the 1st Article of the Treaty, so as to make it clearly understood that the equality of the treatment accorded to foreigners must be subject to the laws of each of the Contracting Parties.

His Excellency added that the Emperor had given close attention to the subject of Treaty revision, and that the modifications in question had received his approval.

With regard to the first point, Viscount Aoki explained that his Government did not propose to substitute anything in the place of the diplomatic notes. The written guarantees which those notes contained would be replaced by "guarantees of fact" in the shape of the judicial organization of the Courts and the Codes which it was hoped would shortly be promulgated, but the Japanese Government were not prepared to say when these "guarantees of fact" would be forthcoming.

His Excellency observed, in conclusion, that the Japanese Government were aware that, by bringing forward these modifications at this late stage of the negotiations, they laid themselves open to the reproach of using the concessions already obtained from Treaty Powers as a pretext for asking for more, and that, considering the great advance which Count Okuma's proposals already constituted upon those of 1886, it would not be surprising if the further modifications which it was now sought to introduce into the scheme of Treaty revision were to create an unfavourable impression upon Her Majesty's Government. The Cabinet, however, considered that the circumstances of the present situation left them no other alternative, and he could only appeal to Her Majesty's Minister to view their action in the most favourable light, having due regard to the difficulties of the position, and to give his favourable consideration to the proposals he now laid before him. He was not able at present to do more than give a general outline of the modifications in question, but he hoped shortly to prepare a written statement of the views of his Government, which he would place in Mr. Fraser's hands.

Mr. Fraser thanked Viscount Aoki for the information which he had communicated, and observed that, in view of the important nature of the modifications which were now proposed by the Japanese Government, he must request his Excellency to submit them direct to London. His instructions and full powers related, as his Excellency was aware, solely to the basis on which the negotiations for Treaty revision had up to that time been carried on between Count Okuma and himself. The proposed changes enumerated by his Excellency constituted, in his opinion, such an extensive alteration of that basis, that they were quite beyond the range of his instructions. He could therefore offer no opinion upon them. He thought it right, however, to warn Viscount Aoki that if now, for the third time, the Japanese Government went back on their former proposals, they must be prepared for some hesitation on the part of Her Majesty's Government to acquiesce in the new arrangements suggested. Her Majesty's Government might, he thought, fairly argue that if the Government of Japan were not strong enough to guarantee the carrying out of their own proposals, then Treaty revision had better be left alone.

Her Majesty's Minister having asked what the Japanese Government intended to do as regards the Treaties already signed with the United States, Germany, and Russia, Viscount Aoki explained that Prince Sanjo had informed the Governments in question that it was impossible to put the Treaties into operation by the date fixed—the 11th February, 1890—and that therefore the Japanese Government hoped there would be no objection to postponing, for the present indefinitely, the operation of these Treaties. Replies had been received from each of the three Governments to the effect that there was no objection to the course proposed.

(Signed) JOHN H. GUBBINS.

December 28, 1889.

No. 12.

Mr. Fraser to the Marquis of Salisbury.—(Received February 20.)

My Lord,

Tókió, January 14, 1890.

I HAVE the honour to inclose a printed copy of the counter-draft of Her Majesty's Government, with the modifications introduced in the course of negotiation.

I have, &c.

(Signed) HUGH FRASER.

Inclosure in No. 12.

[This is the Counter-Draft of Her Majesty's Government, embodying the modifications introduced in the course of negotiation.]

Draft Treaty of Amity, Commerce, and Navigation.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exists between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and for that purpose, have named as their Plenipotentiaries, that is to say, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India,

and His Majesty the Emperor of Japan,

who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles.

ARTICLE I.

erty of entrance,
vel, and resi-
nce. Free
ess to Courts of
stice, &c.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property. They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such Courts, and in all other matters connected with administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

esidence, real
tate, &c.,
cession to and
posal of property.

In whatever relates to rights of residence and travel, to the possession of real estate, goods and effects of any kind, to the succession to real or personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever,

the subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects, than native subjects.

The subjects of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the Laws and Regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as they may establish and maintain for that purpose, subject to the Laws and Regulations.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are or may be paid by native subjects.

The subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; from billeting; and from all forced loans or military exactions or contributions. The duties and charges connected with the ownership or leasing of lands and other real property, to which all subjects of the country may be liable, are excepted.

ARTICLE II.

There shall be entire freedom of commerce and navigation between the dominions and possessions of the two High Contracting Parties.

The subjects of each of the Contracting Parties may trade in any part of the dominions and possessions of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects, conforming themselves to the Laws, Police, and Customs Regulations of the country, like native subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other, which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of industry, manufacture, commerce, and navigation as native subjects, without having to pay taxes, imposts, or duties, of whatever nature, or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, other or greater than those paid by native subjects.

It is understood between the two Contracting Parties that the national treatment stipulated for in this Article shall apply, as regards the vessels and subjects of either, to the exportation as well as to the importation of goods, and that the expression "foreign commerce" means direct trade with foreign countries, irrespectively of the individuals conducting it.

ARTICLE III.

The subjects of each of the Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks, and designs, subject to the conditions and formalities prescribed by law.

ARTICLE IV.

No other or higher duties shall be imposed on the importation into the dominions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article, the produce or manufacture of the dominions of His Majesty the Emperor of Japan, from whatever place arriving, than on the like article produced or manufactured in any foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture

Liberty of conscience, private and public worship.

Right of burial according to respective religious customs.

National and most favoured-nation treatment as to charges or taxes.

Exemption from compulsory military service, forced loans, &c., except as to duties and charges on land, &c.

Commerce and navigation; national treatment

Patents, trade-marks, and designs; national treatment

Import duties; most-favoured-nation treatment. Prohibitions of importation; most favoured-nation treatment.

Exception for
sanitary and other
prohibitions.

of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE V.

New Tariff.

It is agreed by the High Contracting Parties that, in lieu of the import duties hitherto levied and collected, the duties specified in the Tariff hereunto annexed may, subject to the provisions of Article IV, be levied by the Japanese Government on all goods, the growth, produce, or manufacture of the dominions and possessions of Her Britannic Majesty, upon importation into Japan.

Reservation as to
articles dangerous
to health, &c.

The Japanese Government, however, reserves to itself the right to restrict or temporarily prohibit the importation of any article which, for sanitary reasons, or in view of public security or morals, might offer any danger.

Internal duties on
sake, shoyu, mirin,
tobacco.

It is understood by the Contracting Parties that the Japanese Government, in the event of its imposing or augmenting any internal duty on sake, shoyu, mirin, or tobacco, may impose a compensatory duty on such articles imported into Japan, provided such compensatory duty, with the customs duty added, shall not exceed the internal tax or duty.

Import duties
payable *ad valorem*
in Japan.

Import duties payable *ad valorem* in Japan shall be calculated on the actual cost of the goods at the place of purchase, production, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication, to the port of discharge, as well as commission, if any exists. The sum thus obtained shall be regarded as the dutiable value of the goods upon which the rate of duty provided in the Tariff shall be paid.

Import duties on
foreign goods
imported into
Japan.

Goods of foreign production or manufacture reimported into Japan, after having been exported therefrom, shall pay import duty in accordance with the Tariff, notwithstanding duty may have been paid upon such goods when originally imported.

Import duties on
Japanese goods
imported.

Goods of Japanese production or manufacture brought back from foreign countries to Japan shall pay an *ad valorem* duty of 5 per centum.

ARTICLE VI.

Export duties;
most-favoured-
nation treatment.
Prohibitions of
exportation; most-
favoured-nation
treatment.

No other or higher duties or charges shall be imposed in the territories of either of the Contracting Parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other country.

ARTICLE VII.

(Article IV of Anglo-Italian Treaty of 1883.)

Transit duties,
warehousing,
bounties, facilities,
and drawbacks;
most-favoured-
nation treatment.

The subjects of each of the Contracting Parties shall enjoy, in the dominions and possessions of the other, exemption from all transit dues, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE VIII.

Export duties in
addition to Tariff.

All goods imported into Japan by British subjects on which the duty shall have been paid according to the Tariff annexed to this Treaty, may be conveyed to any Japanese port free of duty, and when transported into the interior shall not, except as herein otherwise provided, be subject to any additional tax, excise or transit duty whatsoever in any part of the Japanese Empire.

ARTICLE IX.

Drawbacks on
goods re-exported
from Japan.

When goods of foreign production or manufacture, which have been removed from the custody and control of the Customs, are, within two years from the date of their importation, exported from Japan, such goods shall be allowed to pass the Customs free

of export duty, and the importer thereof shall, in addition, be entitled to receive a drawback certificate for the amount of the import duties paid thereon, provided that all charges upon the said goods to the Customs shall have been paid; that they are *bond fide* exported to a foreign country; that they are so exported in the casks, bottles, cases, boxes, trunks, or packages, &c., in which they were originally imported, without having been opened or unpacked, except by the Customs, or with their permission; that the original import permit shall accompany the application for drawback of duty, and be retained by the Customs authorities, and that the said goods shall be, at the time of their exportation, subject to such examination and inspection as the Customs authorities may deem necessary to determine their identity with the goods described in the import permit. These drawback certificates shall either be redeemed on demand, or be at any time accepted by the Customs authorities in payment of duties.

ARTICLE X.

All articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels, and reciprocally all articles which are or may be legally imported into the ports of the dominions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions or possessions of either of the Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese or in British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

ARTICLE XI.

The coasting trade of both the Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws of Great Britain and of Japan respectively. It is, however, understood that British subjects in Japan, and Japanese subjects in the dominions and possessions of Her Britannic Majesty, shall enjoy in this respect the rights which are, or may be, granted under such laws to the subjects or citizens of any other country.

A Japanese vessel, laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Britannic Majesty, and a British vessel, laden in a foreign country with cargo destined for two or more ports in Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and Custom-house Regulations of the two countries.

But the Imperial Japanese Government makes the following concession in addition, that British vessels may carry cargoes between any of the ports hereinafter mentioned, namely, Yokohama, Kobé, Hiôgô, Nagasaki, and Hakodate.

ARTICLE XII.

The Imperial Japanese Government agrees that for a period of ten years from the time the present Treaty comes into force British subjects shall be entitled to charter ships to Japanese subjects for employment in the coasting trade of Japan, subject, however, to the observance of the following stipulations.

No British vessels shall be permitted to engage in the coasting trade of Japan under the provisions of this Article except such as are chartered by Japanese subjects alone, or by British and Japanese subjects trading jointly, either in partnerships or Companies.

Importation and exportation. British and Japanese vessels to be on equal footing.

Coasting trade excepted, subject to most-favoured-nation treatment.

Cargoes destined for two or more ports in either country.

British vessels may carry cargoes between Treaty ports.

Coasting trade. British ships may be chartered under certain conditions.

May be chartered by Japanese, or Japanese and British jointly.

It is, however, understood that the fact of a Japanese subject being associated in a business partnership with one or more British subjects shall not be held to debar him from the advantages conferred under this Article.

Charter-permits
to be issued by
Customs authori-
ties of port of
charter.

Any Japanese subject desiring to charter a British vessel for the coasting trade shall apply in writing to the Customs authorities of the port of charter, setting forth in his application all the particulars relating to the vessel, so far as it is possible to give them, and the name and nationality of the master. The application shall be accompanied by a draft of the charter-party, to be signed by the owner, master, or agent of the vessel; this draft shall mention the object of the charter, its duration, and the amount of charter-money to be paid. Upon the receipt of this application the Customs authorities shall, upon the payment of a fee of 50 yen, issue a permit, to be called the "charter-permit."

Duration of
charter.

The term for which British vessels may be chartered shall not exceed twelve calendar months. At the expiration of the charter, the charter-permit shall be returned to the Customs authorities of the port of charter. The charter may, however, be renewed and a new charter-permit obtained upon the payment of a further fee of 50 yen, and upon application being made in the same manner as in the case of the original charter.

Fees on charter.

In addition to the foregoing fee, chartered British vessels shall pay from the date of first clearance under charter tonnage and light dues at the rate of 2 sen per ton for every month, or fraction of a month, during which their charters continue.

Chartered vessels
must carry distin-
guishing flag.

Chartered British vessels shall carry a distinguishing flag to indicate that the vessels are chartered by Japanese subjects.

Must carry mails.

They shall, in the same manner as Japanese vessels, be obliged to carry mails when required to do so by the Japanese postal authorities. But such vessels shall, under no circumstances, be allowed to carry mails without permission from the said authorities.

May only engage
in coasting trade.

Chartered British vessels shall only be permitted to engage in the coasting trade. When going abroad the charter-permit shall be surrendered to the Customs authorities of the port of clearance, and all such goods as may have been shipped at any port while the vessel was so chartered shall be subject to the prescribed export duties.

Subject to Trade
Regulations.

Chartered British vessels are subject to the Trade Regulations, in so far as such Regulations are applicable, but their charter-permits shall, when in port, be deposited with the Customs authorities.

ARTICLE XIII.

Wrecks,
salvage, &c.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the district of the occurrence, or, if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of British vessels, wrecked or cast on shore in the territorial waters of the Japanese Empire, shall take place in accordance with the laws of Japan; and, reciprocally, all measures of salvage relative to Japanese vessels, wrecked or cast on shore in the territorial waters of Her Britannic Majesty, shall take place in accordance with the laws of Great Britain.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnishings and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the

property, together with the salvage or other expenses, which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

ARTICLE XIV.

If any seaman should desert from any merchant-ship belonging to either of the Contracting Parties within the territory of the other, the local authorities shall be bound to give every assistance in their power for the apprehension and handing over of such deserter, on application to that effect being made to them by the Consul of the country to which the ship of the deserter may belong, or by the deputy or representative of the Consul.

Deserters from merchant-ships.

It is understood that this stipulation shall not apply to the subjects or citizens of the country where the desertion takes place.

ARTICLE XV.

Privileges of Mail-steamers.

[Cancelled.]

ARTICLE XVI.

British vessels entering Japanese ports shall pay tonnage and light dues at the time of entry at the Custom-house according to one of the following rates at the option of the masters, owners, or agents of such vessels:—

Tonnage and light dues on British vessels entering Japanese ports.
Scale of dues.

1. 25 sen per ton for one Japanese port of call only.
2. 30 sen per ton for a period of two months, with the option to call at any number of Japanese ports, but at no foreign port or ports.
3. 80 sen per ton for a period of six months, with the option to call at any Japanese or foreign port or ports.
4. Mail Companies may, if they desire, free their vessels from tonnage and light dues for seven consecutive schedule-voyages on paying a duty of 80 sen per ton on the average tonnage of the vessels making such voyages. This payment must be made at the time of the first entry. It shall be calculated according to the schedule arrangement of the Company, on condition that reimbursement shall be made either by the Customs authorities or by the Mail Companies, as the case may be, at the time of the seventh entry, of any excess or deficiency in the dues paid, arising from any changes which may have taken place in the vessels employed.

Mail Companies may compound for seven consecutive schedule-voyages.

The net registered tonnage of vessels, as shown by the certificate of registry or other papers, shall be taken as the basis on which tonnage and light dues shall be calculated.

Calculation of tonnage.

The following vessels shall be exempt from the payment of tonnage and light dues in Japan:—

Vessels exempted from tonnage and light dues.

1. Men-of-war.
2. Pleasure yachts and pilot-boats duly licensed by the Japanese Government.
3. Fishing-vessels having no cargo on board.
4. Vessels of less than 20 tons burden.
5. Vessels putting into port in distress or for repairs, provided they do not engage in trade.

6. Vessels entering and clearing in ballast.

7. Vessels leaving port within forty-eight hours after anchoring, provided they do not land, ship, or tranship cargo, or land or take on board passengers or mails. Such vessels shall, however, pay a Customs fee of 15 yen.

The fees hitherto paid on the entrance and clearance of British vessels in Japanese ports shall be no longer levied.

Entrance and
clearance fees to
be no longer
levied.

ARTICLE XVII.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, Corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

Tonnage, harbour,
pilotage, light,
and quarantine
duties, &c.
National treatment.

ARTICLE XVIII.

For the period of five years from the date this Treaty goes into operation, the jurisdiction exercised by British Courts over British subjects and property shall be territorially limited to the foreign Settlements of Hakodate, Tôkiô, Yokohama, Osaka, Kobé, and Nagasaki, and to such of the ports and harbours thereof as are now open to British vessels, and to the other localities adjacent to such foreign Settlements where by Treaty or other express engagements British subjects are now permitted permanently to reside and rent land, and from the same date everywhere in Japan outside of the limits of the above-named foreign Settlements, ports, harbours, and localities, Japanese Courts shall have and exercise complete and exclusive jurisdiction, both civil and criminal, over British subjects and property, in accordance with the laws of Japan.

Consular
jurisdiction.

In view of the large number of British subjects at present residing in Tôkiô outside of the foreign Concession and adjacent locality where foreigners have hitherto been permitted under Treaty, or otherwise, to reside and rent land, the Japanese Government is willing to make an exception as regards the city of Tôkiô to this extent: that during the continuance of Consular jurisdiction British Courts shall also have jurisdiction over the persons and personal property of all British subjects residing in any part of that city.

At the expiration of the five years aforesaid, all the jurisdiction then exercised by British Courts in Japan, and all the exceptional privileges, exemptions, and immunities then enjoyed by British subjects as a part or as appurtenant to such jurisdiction, shall absolutely and without notice wholly cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

The jurisdiction of British Courts shall be continued until final decision in respect of all actions *lis pendens* in said British Courts at the time fixed for the abolition of Consular jurisdiction.

During the continuance of Consular jurisdiction the British Consular Courts shall continue to exercise throughout Japan jurisdiction over British subjects in questions of personal status; it is, however, understood that if in proceedings before Japanese Courts questions of personal status are incidentally or collaterally raised, such Japanese Courts shall, for the purpose of such proceedings, have jurisdiction to determine questions so raised in accordance with British law.

ARTICLE XIX.

During the period of five years mentioned in Article XVIII the following rules are laid down for the purpose of determining internationally the jurisdiction of Japanese and British Courts:—

1. In criminal matters the jurisdiction shall be determined by the place of commission.

Rules for deter-
mining the juris-
diction of Japanese
and British Courts.

2. In civil cases the jurisdiction shall be determined in the following manner:—

(a.) By the place of performance of contracts.

(b.) In case there is no place of performance, and, except as hereinafter provided, in all other personal actions, from whatever cause arising, by the domicile of the defendant; and, in case the defendant has no domicile, by the place of his sojourn at the time when the writ of action is served.

(c.) In personal actions where there are several defendants, by the domicile of any one of them, at the option of the plaintiff; and if such defendant has no domicile, by the place of his sojourn at the time when the writ of action is served.

(d.) In cases where Associations are concerned, by the district in which the Association which is defendant in the case has its head office; or in the case of any claim arising out of the business of a branch office, by the place of such branch office, at the option of the plaintiff.

(e.) In matters relating to deceased estates, by the place where the property is situated.

(f.) In cases where real property is concerned, by the place where the real property in question is situated; the same rule shall apply to personal actions which relate to the ownership or usufruct of real property.

In the event of Japanese and British Courts having in any case under the foregoing rules concurrent jurisdiction, such concurrent jurisdiction shall become exclusive in the Courts first taking jurisdiction.

In the matter of the service of process, Japanese and British Courts in Japan shall be auxiliary to each other.

In the matter of the execution of Judgments, Decrees, and Sentences, Japanese and British Courts in Japan shall, so far as the laws of their respective countries permit, render legal aid to each other.

Besides the service of process and the execution of Judgments, the Japanese and British Courts in Japan shall, upon due application, render to each other, so far as the laws of their respective countries permit, further legal assistance, especially for the determination and elucidation of facts.

ARTICLE XX.

In case any British subjects should at any time in advance of the final abolition of British Consular jurisdiction desire to submit themselves exclusively to Japanese jurisdiction, they may do so by making and filing with their own proper Consular authorities, and with the proper local Japanese authorities, formal declarations to that effect; but no such submission shall deprive the British Consular Courts of jurisdiction over such subjects which they would otherwise have in connection with liabilities incurred prior to such submission.

Optional submission to Japanese civil jurisdiction before abolition of Consular jurisdiction.

ARTICLE XXI.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are, or may hereafter be, granted to Consular officers of the most favoured nation.

Consular officers to enjoy most-favoured-nation treatment.

ARTICLE XXII.

The Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour, and immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, subjects, or citizens of any other State shall be extended immediately and unconditionally to the Government or subjects of the other Contracting Party; it being their intention that each country shall be placed in all respects by the other on the footing of the most favoured nation.

Most-favoured-nation treatment.

ARTICLE XXIII.

Privileges and immunities in Japan to be retained till cessation of Consular jurisdiction.

All privileges and immunities which British subjects have hitherto enjoyed in Japan, in virtue of the existing Treaties and Arrangements, are maintained during the continuance of Consular jurisdiction, in so far as they are not abrogated by the stipulations of this Treaty; and from the date Consular jurisdiction ceases to exist all such privileges and immunities shall be regarded as abrogated, unless maintained by this Treaty.

ARTICLE XXIV.

Taxes, &c., in Japan.
National treatment.

If during the period Consular jurisdiction still continues, British subjects manufacture, fabricate, or prepare within the Settlements, fish, "sake," tobacco, "shoyu," "mirin," wine, beer, or spirits, they shall pay the same dues and taxes as Japanese subjects engaged in a similar business.

Any British subject who desires to retail wine, beer, or spirits must take out the same licence and pay the same licence fee as Japanese subjects; this licence can never be refused without just and reasonable cause.

From the date of the exchange of ratifications of this Treaty, outside of the territorial limits of Consular jurisdiction, and from the date Consular jurisdiction ceases to exist, throughout the entire Empire, British subjects shall be liable to the same taxes, rates, fees, duties, and charges as Japanese subjects.

ARTICLE XXV.

Titles to real property.

Simultaneously with the entire cessation of Consular jurisdiction in Japan, in conformity with Article XVIII of this Treaty, the titles to all real property then held or rented by British subjects, either jointly or severally, as trustees, in trust or otherwise, from the Japanese Government under leases in perpetuity, shall be converted into absolute titles, and the lessees of such real property shall thereupon become absolute owners thereof, as trustees or otherwise, as the case may be, and upon surrendering their leases, their titles shall, in accordance with the provisions of law, be duly registered by the Japanese Government. The rents hitherto paid on such real property shall then cease to be collected, and in lieu thereof such real property shall be subject to the same Imperial and local taxes as are imposed in respect of similar real property owned by native subjects, and shall also in all other respects be subject to the laws of Japan relating to real property.

It is, however, understood that, in all cases where a reduction in rent on land held under leases in perpetuity has been made by the Japanese Government on account of the uses to which such land has been devoted, the taxes hereafter to be levied in lieu of such rent shall not exceed the amount of such reduced rent.

Foreign Settlements to be incorporated with Japanese Communes.

When the foregoing changes in the tenure of real property have been effected, the several foreign Settlements shall be completely incorporated with the respective Japanese communes. They shall thenceforth form integral portions of the municipal system of Japan, and the competent authorities shall assume all municipal obligations and duties in respect thereof. At the same time, the municipal funds and property belonging to such Settlements shall be transferred to the said Japanese authorities.

Public lands to be free of taxes.

All lands which have been hitherto given by the Japanese Government free of rent for public purposes in the foreign Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges, for the public purposes for which they were originally set apart.

ARTICLE XXVI.

Trade, Government, and Private Bonded Warehouse, and Harbour Regulations, and drafts of two notes annexed to Treaty.

The High Contracting Parties agree that the Regulations annexed to this Treaty, namely, the Trade, Government, Bonded Warehouse, and Harbour Regulations,* shall be regarded as forming a portion of the same.

Similarly, the engagement contained in the two notes signed by the Japanese Minister for Foreign Affairs, and annexed to this Treaty, shall be regarded as having the same force and validity as if the said notes formed an integral portion of the Treaty.

* See pp. 41-49, 102, and 114. Regulations for Private Bonded Warehouses not printed.

ARTICLE XXVII.

The stipulations of the present Treaty shall be applicable, so far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

Accession of
British Colonies.

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's Representative at Tôkiô, within two years from the date of the exchange of ratifications of the present Treaty.

It is, however, understood that the foregoing reservations shall not have the effect of maintaining in force in favour of any of the above-named Colonies or foreign possessions, after the present Treaty goes into operation, any of the stipulations of the Treaties hitherto existing between the two countries.

ARTICLE XXVIII.

The present Treaty shall come into force one month after the exchange of the ratifications, which shall take place at Tôkiô within one year after its signature, and shall remain in force for twelve years after the exchange of ratifications.

Duration.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date of the exchange of the ratifications, to give notice to the other of its intention to terminate this Treaty, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

Termination.

In witness whereof, the respective Plenipotentiaries have signed and sealed this Treaty in quadruplicate, two copies being in the Japanese, and two copies in the English language. All of these copies have the same meaning and intent, but in case of conflict the English text shall decide.

Done at the city of Tôkiô, this day of the month year of
Meiji, corresponding to the day of , in the year of the
Christian era.

Draft of Note.

Department of Foreign Affairs,
Tôkiô,

The Undersigned, His Imperial Majesty's Minister for Foreign Affairs, taking into consideration the stipulations contained in the Treaty this day concluded between the Governments of Japan and , in reference to the final total abolition of Consular jurisdiction in Japan, deems it proper to announce that His Imperial Majesty's Government are now actively engaged in the labour of elaborating the following Codes:—

1. Criminal Code.
2. Code of Criminal Procedure.
3. Civil Code.
4. Commercial Code; including bankruptcy laws, and laws relating to shipping and bills of exchange.
5. Code of Civil Procedure; including the procedure to be followed in commercial matters.

It is confidently expected that this great work will be completed not later than next year. The Imperial Government fully appreciate the necessity of bringing the work of codification to a successful conclusion some time in advance of the final abolition of

Consular Courts, and in the event it is found impossible from any cause to complete and issue the Codes above enumerated within two years after the new Treaty shall have gone into operation, His Imperial Majesty's Government will then be compelled to request the Government to consent to the postponement of the date named in the Treaty for totally abolishing Consular jurisdiction until at least three years after the Codes in question shall have been promulgated.

The determination of His Imperial Majesty's Government to employ for some years a number of foreign jurists to act in the capacity of Japanese Judges has convinced the Imperial Government of the necessity of rendering the substantive laws of the Empire into some European language. The English language being the European language in most common use in Japan, the Undersigned begs to state, on behalf of His Imperial Majesty's Government, that authentic English translations of the Codes in question will be made public not later than one year and a-half after they are promulgated.

The Undersigned has the honour to add, in conclusion, that the system of issuing authentic translations of the laws will be maintained so long at least as the services of Judges of European or American origin are continued.

The Undersigned, &c.

Draft of Note.

Department of Foreign Affairs,

Tôkiô,

The Undersigned, His Imperial Majesty's Minister for Foreign Affairs, has the honour to announce to that the Imperial Government have reached the determination to appoint a number of foreign jurists to act in the capacity of Judges in the Supreme Court ("Dai Shin In"), and the Undersigned is authorized to state, on behalf of His Imperial Majesty's Government, that when any proceedings, either civil or criminal, in which a British subject is directly interested as a defendant or accused are heard in the Supreme Court, either in last or first and last instance, a majority of the Judges hearing such proceedings will be Judges of European or American origin.

In order to indicate the extent to which British subjects will be able to take advantage of the proposed system, it is proper for the Undersigned to say that, under the new judicial organization of the Empire, all criminal cases in which the punishment exceeds two months' imprisonment and a fine of 50 yen, or exceeds a fine of 100 yen without imprisonment, may be taken either on appeal or in first and last instance to the Supreme Court, and that generally all civil cases where the amount involved exceeds 100 yen may in like manner be carried on appeal to the Supreme Court.

It is impossible for the Imperial Government to declare in advance how many foreign jurists will be thus appointed as Japanese Judges, but the Undersigned does not hesitate to assure that a sufficient number will be employed to perform with thoroughness and promptitude the duties which will be assigned to them.

The gentlemen to be selected to fill these honourable positions will, subject only to the exception of dismissal for cause, be given a fixed tenure of not less than four years, and in all other directions be such as in their own countries would be eligible to be appointed Judges there.

Equal care will be taken to secure and encourage their complete independence and impartiality. His Imperial Majesty's Government are, moreover, of opinion that it would be extremely undesirable to permit the Judges of European or American origin to remain, even for a limited period, subject to the jurisdiction of Courts foreign to those in which they will be called upon to sit as Judges, and for this reason His Imperial Majesty's Government deem it essential that the persons selected for the positions should, in pursuance of the stipulations contained in the Treaty which has this day been concluded between the Governments of Japan and Great Britain, make formal submission to the jurisdiction of the Imperial Courts of Justice.

The new system which the Undersigned has had the honour briefly to outline will be put into active operation at the same time the Treaty above referred to takes effect, and it will be continued in force without circumscription for the period of twelve years.

While His Imperial Majesty's Government will be fully prepared to maintain the new system beyond the period named, in the event it is found that that course is neces-

sary, they would, nevertheless, desire to have it understood that they reserve to themselves the faculty of determining, at the proper moment, whether or not such necessity actually exists.

The Undersigned begs to add, in conclusion, that this measure has been adopted primarily for the purpose of improving the judicial system of the Empire. His Imperial Majesty's Government, however, venture to hope that it will be regarded as a sufficient guarantee that, under the new Treaty, the rights and interests of Her Britannic Majesty's Government and subjects will be fully respected and protected.

The Undersigned, &c.

Trade Regulations.

In the following Regulations, when the term "port" is used, without more particular description, it shall be held to mean a port in Japan where a Custom-house has been established; the term "ship" or "vessel" shall be held to mean every vessel, no matter what her rig and size, whether Japanese or foreign, except Japanese junks and Japanese coasting-vessels of less than 30 tons; the term "master" shall be held to mean the person for the time being having or taking charge or command of a ship, without regard to his actual title; the term "goods" shall be held to comprise all goods with the exception of passengers' baggage and ship's stores; "passengers' baggage" shall mean such articles as are for the personal use of passengers; and "ship's stores" shall mean supplies provided for subsistence and consumption on board; when the term "importer" is used, it shall be held to include the owners of goods imported, as well as the consignees and their respective agents; and the term "exporter" shall be held to include the owners of goods exported, as well as the consignors, and their agents respectively; when time is expressed as limited by the hour or day, Sundays and Customs holidays are excluded; if by the month or year, such holidays are included; "mail-steamers" are steamers arriving and departing at regular scheduled dates, and carrying public mails; "Mail Companies" are Companies owning or working mail-steamers.

Definitions.

Article 1. The Customs authorities shall have the right to place Customs officers on board of any ship arriving in a port, and the master of every such ship shall answer as far as possible every question relating to the ship, cargo, passengers, crew, or voyage that may be put to him by the Customs officer who boards the ship, and shall fill up the entries in the boarding-book.

Customs officers may be placed on board vessels.

The Customs officer shall have free access to all parts of the ship for any purpose connected with the administration of the Customs, for the purpose of measuring or ascertaining the dutiable tonnage of the ship. They may remain on board until all the goods laden therein are landed, or until the departure of the ship. They shall also have power to fasten down and lock or seal hatchways or other entrances to the hold, and to lock up, seal, mark, or otherwise secure any goods on board of such ship. They shall, moreover, be treated with civility, and such reasonable accommodation as the ship affords shall be allotted to them.

Refusal or neglect on the part of a master of a ship to comply with the stipulations of this Article, or with any of them, shall render such master liable to a fine of 25 yen.

Art. 2. Within forty-eight hours after the arrival of a ship in a port, the master shall deliver to the Customs authorities, during their office hours, the receipt of the Consul of his nationality, showing that he has deposited the ship's papers at the Consulate. In the event of their being no Consul of the vessel's nationality in such port, or of the ship being under the Japanese flag, the master shall deposit the ship's papers at the Custom-house. He shall then make entry of the ship by handing in a written paper, duly signed and certified by him to be a true statement, giving the name and nationality of the ship, her tonnage, the port whence arrived, the date of sailing, the date and time of arrival, the number and, if required, the names of the passengers, and the number of the crew. The master shall at the same time deposit with the Customs authorities a written manifest of his cargo, setting forth the marks, number, quantity, and description of the packages and their contents as they are described in the bill of lading, and, if known, the names of the consignees; he shall, to the best of his knowledge and belief, certify to the correctness of the particulars contained in the manifest, and shall sign his name to the same. A list of the ship's stores, signed by the master, shall also be filed with the manifest. Prior to making entry of the ship as aforesaid, the master shall deliver to the Customs authorities, for inspection, the certificate of register or other national papers showing the tonnage of the ship.

Within forty-eight hours after arrival master must deliver to Customs Consul's receipt for ship's papers and manifest of cargo.

Providing for cases of vessels remaining in port for less than forty-eight hours, and vessels driven into port by distress.

Art. 3. Vessels which remain in port less than forty-eight hours, and vessels driven into port by stress of weather or in distress, shall not be required to enter at the Customs, or to hand in manifests or lists of ship's stores unless they land, ship, or tranship cargo, or land or take on board passengers or mails. The masters of such vessels shall, however, report their arrival at the Customs, and the causes that exempt them from entering at the Customs.

Masters failing to make due entry subject to a fine of 60 yen.

Art. 4. Any master who shall fail to make due entry of his vessel at the Custom-house within the time prescribed by Article 2 hereof shall pay a fine of 60 yen for each period of twenty-four hours, or fraction thereof, during which he shall neglect to make entry.

Error in manifest; penalty for, and mode of correction.

Art. 5. If any error is discovered in the manifest it may be corrected within forty-eight hours after the deposit of the manifest without the payment of any fee, but for every alteration or post entry to the manifest which is made after that time a fee of 3 yen shall be paid.

If any goods forming part of the cargo of a ship are omitted from the manifest, or are incorrectly described therein, the master of the vessel shall pay a fine equal in amount to the value of the merchandize so omitted or incorrectly described.

This fine shall not, however, be incurred if it shall be proved to the satisfaction of the Superintendent of Customs, or of the Court trying the case, that such omission or incorrect description was not made wilfully or with fraudulent intent. In such case, the manifest may be corrected in the manner above prescribed.

Permit to open hatches. Penalty for breaking bulk without permit, and for breaking locks, seals, &c.

Art. 6. When a vessel has been duly entered inwards as prescribed by Article 2 hereof, the Customs authorities shall issue a permit to open hatches. This shall be exhibited to the Customs officer on board, who shall at once remove the Customs seals on the hatches and any other places containing cargo which may have been fastened or sealed. Breaking bulk without having obtained such permission, or wilfully breaking open or unfastening any seals or locks upon the hatches or other parts of the ship containing cargo before the Customs permit has been obtained and exhibited to the officer on board, as above provided, shall render the master liable to a fine of 100 yen.

Places and hours for landing and shipping goods.

Art. 7. No goods shall be landed or shipped at other places than those designated by the Customs authorities. Neither shall any goods be landed, shipped, or transhipped on Sundays or holidays, or between the hours of 6 P.M. and 6 A.M. on any day from the 1st March to the 1st October, or between the hours of 5 P.M. and 7 A.M. on any day from the 1st October to the 1st March, except by special permission of the Customs authorities, who shall be entitled to reasonable fees for the extra duty thus performed. Any violation of these provisions shall subject the goods in respect of which the offence was committed to seizure and confiscation by the Customs authorities. At such times, and within the hours above specified, the hatches and all other parts of the ship where cargo is stored may be secured by the Customs authorities, and if any person shall, without due permission, open any entrance, or break or remove any seal, mark, lock, or fastening that has been affixed by the said Customs officials, not only the persons so offending, but also the master of the ship, shall be liable to a penalty of 100 yen, unless it shall be proved to the satisfaction of the Court before which the offence is tried that the act in question was the result of accident, and was not done wilfully.

Application for landing goods, original invoice, &c.

Art. 8. The importer of any goods who desires to land them shall make and sign an application to the Customs authorities to that effect, stating his own name, the name of the ship in which the goods have been imported, the marks, numbers, contents, and values of the packages, and declaring that this statement is correct. This application shall be accompanied by the original invoice of each consignment of merchandize, or by a duplicate of such invoice, which must be a copy of the original bill for the goods, and must contain a full statement of the time when, and the place where, the said goods were purchased or manufactured, and the actual cost thereof, together with the cost of transportation, commission, and insurance. The said invoice must also be accompanied by a copy, to be retained by the Customs. After comparison, the original shall be returned to the importer.

If the said application and invoice are found to be satisfactory, the Customs authorities shall issue to the importer a landing permit. Upon the presentation of such permit to the Customs officer on board the vessel in which the goods are laden, the same may be unladen, and having been duly examined and stamped at the Custom-house, and duty paid thereon in accordance with the Import Tariff, delivery may be taken of the merchandize by the importer.

If such invoice as above described is not produced, or if its absence is not satisfactorily accounted for, the owner shall be allowed to land the goods on payment of

the duty determined by the Customs authorities; but the surplus duty, if any, so paid shall be refunded if the owner of the goods produces the original invoice, or a duplicate as aforesaid, within three months and a-half from the date on which the duties were paid.

Art. 9. The Customs officers may examine the whole or any part of goods entered for exportation or importation, or may determine the quantity of any such goods by weighing, measuring, or gauging a part or the whole of them.

Customs may examine the whole or part of all goods.

Such examination shall be made at the place appointed for the purpose without unnecessary delay, and the package shall be restored by the Customs authorities to their original condition, in so far as may be reasonable and practicable.

Art. 10. Should the Customs authorities consider the value of any goods paying, according to the principle laid down in Article of the Convention, an *ad valorem* duty, as declared by the importer or exporter, insufficient, and should the importer or exporter decline to pay the duties demanded, then the Customs authorities shall have the right to announce, within twenty-four hours after the examination of the said goods, their intention to purchase them at the price declared by the said importer or exporter, with the addition of 5 per centum, and the purchase-money shall be paid within five days from the date of such announcement. It is understood that in such cases the duty is not to be levied.

Customs have right to purchase goods which they consider under-valued.

Art. 11. Should the Customs authorities consider the value of any goods paying an *ad valorem* duty, as declared by the importer or exporter, insufficient, and at the same time decline to exercise their right of purchasing such goods at the declared value, they shall have the right, within twenty-four hours after the examination of the goods, to call for an appraisement by two experts, one to be appointed by themselves, and one by the importer or exporter. The appointment of the said experts shall be made within the twenty-four hours next following the demand of the Customs for an appraisement; the survey of the goods under dispute shall be made by the experts, and their decision rendered as soon after their appointment as is possible, in no case later than three days after an appraisement has been demanded.

Mode of settling disputes as to value of goods subject to *ad valorem* duties.

Should the dutiable value of the goods as determined by the experts be more than 5 per cent. higher than the value declared by the importer or exporter, the latter shall bear the costs of the survey, and shall also pay duty on the value thus appraised. But should the value so determined be not more than 5 per cent. higher than the value as declared by the importer or exporter, the latter shall pay duty according to the value of such goods as so appraised, and the costs of the survey shall be borne by the Customs authorities.

In the event of the two experts failing to agree, the matter shall be referred to an umpire, who shall be selected by the experts as quickly as possible after they have failed to agree, and whose decision shall be final. Should the experts be unable to agree in the choice of an umpire, such umpire shall be appointed by the Chiji of the district. The decision of the umpire as to the dutiable value of the goods shall be rendered within three days after his selection or appointment.

Art. 12. Should the importer or exporter, after a survey has been demanded as provided in the preceding Article, desire to take delivery of the goods either before the survey takes place, or before the decision of the experts or of the umpire has been given, he may do so at any time after depositing with the Customs authorities samples and patterns, to be selected, if required, by them, and such security for the duty and the costs of survey as may be deemed adequate by them; such security not to exceed twice the amount of duty claimed by the Customs. When the decision has been given, any surplus remaining over from such money deposit, after deduction of the amount of duty payable as prescribed by the preceding Article, and of the costs of survey, if according to the provisions of the preceding Article, these are to be borne by him, shall be returned to the importer or exporter.

Goods in dispute may be removed by importer or exporter on deposit of security for duty.

Goods which are not taken delivery of under the foregoing provision shall, pending the result of the survey, be stored by the Customs authorities at the risk of the importer or exporter, who shall be liable for all charges for storage and the insurance.

Art. 13. Cases where disputes arise between the Customs authorities and the importer or exporter in respect of the quality or designation of goods passing through the Customs which are liable to specific duties shall be dealt with in the same manner as is prescribed in the two preceding Articles with reference to goods subject to *ad valorem* duties, it being understood that the right to demand a survey of such goods by experts shall rest equally with either party, and the costs of such survey shall be borne by the party against whom the decision is rendered.

Mode of settling disputes concerning goods subject to specific duties.

Mode of settling
disputes relative to
damaged goods.

Art. 14. Upon all imported goods damaged on the voyage a fair reduction of duties shall be allowed proportionate to their deterioration. The same rule shall apply in case of leakage. If any disputes arise as to the amount of such reduction, they shall be settled in the manner prescribed by Articles 11, 12, and 13. The surveys which may be necessary in such cases shall be held without unnecessary delay, and the decision of the experts or of the umpire shall be rendered as soon as may be practicable.

Goods not landed
within thirty days
to be landed by
Customs.

Art. 15. All goods declared for import on the entry manifest not landed within thirty days after the arrival of a ship in port may be landed and stored by the Customs authorities; and if the duties and cost of such removal and storage be not paid within three months after the goods have been so landed and stored, such goods may be sold by the Customs authorities, and the proceeds applied to defray the aforesaid expenses. The surplus, if any, shall be paid to the importer of the goods on his application for the same.

Should such goods be of an explosive, inflammable, or perishable nature, or should such merchandize consist of live stock, the Customs authorities may after such goods or live stock have been landed, sell them at once, and the proceeds of such sale shall be dealt with in the manner provided for in this Article.

Goods of an
explosive nature
to be landed at
special places.

Art. 16. Goods of an explosive or inflammable nature shall not be landed or shipped, except at places designated for that purpose by the Japanese authorities.

Rules regarding
hulks and store-
ships.

Art. 17. Companies and firms desiring to keep hulks or store-ships in a port shall apply to the Customs authorities for permission to do so, and such hulks and store-ships shall be subject to the provisions of these Regulations so far as the same may be applicable. The Customs authorities may station officers of the Customs on board such hulks or store-ships, and the said officers shall have all the powers in respect of such hulks or store-ships, and of cargo stored therein, as they would have in the case of ordinary vessels. A reasonable fee, not exceeding the expenses for the officers so employed, shall be paid to the Customs by the owners of the hulks or store-ships for the services of such officers.

Transshipment of
cargo.

Art. 18. When cargo is to be transhipped from one vessel to another, an application for a transshipping permit must be made to the Customs, and upon such permit being exhibited to the Customs officers on board the said vessels the transshipment may be effected in accordance therewith.

Penalty for landing
or shipping pro-
hibited goods, &c.,
and for transship-
ping goods without
permit.
Dutiable goods
not sealed to be
forfeited.

Art. 19. Should any person ship or attempt to ship, or land or attempt to land, prohibited goods, or goods which have not been duly entered at the Custom-house in the manner prescribed by these Regulations, or tranship or attempt to tranship cargo for the transshipment of which no permit has been obtained from the Customs, such goods may be seized and confiscated by the Japanese authorities.

If any prohibited articles, or if any dutiable articles not set forth in the invoice, shall be found concealed in any package of goods, such articles shall be confiscated, together with the package and the whole of its contents. Should it, however, be shown to the satisfaction of the Superintendent of Customs, or of the Court before which the case is tried, that the presence of such dutiable articles in a package containing other goods is the result of mistake or oversight, and is not due to any fraudulent intention on the part of the importer or exporter, neither the articles nor the packages in question shall be confiscated.

Rules to be
observed in the
exportation of
goods.

Art. 20. All goods intended to be exported shall be entered at the Custom-house before they are shipped. The application to ship shall be made in writing, and shall state the name of the vessel by which the goods are to be exported, the marks and numbers of the package, and the quantity, description, and value of their contents. The exporter shall certify in writing that the application is correct, and shall sign his name thereto. The goods having thereupon been duly examined and stamped, and duly paid in accordance with the Export Tariff, a shipping permit shall be issued to the exporter, who shall exhibit the same to the Customs officer on board the vessel when the goods are shipped thereon.

Export duty to be
paid on goods
carried between
Treaty ports.

Art. 21. When a British ship carries from one of the ports named in Article XI of the Treaty to which these Regulations are annexed to any of the other ports named in the same Article, either foreign or native goods, an export duty shall be paid, if the goods are dutiable, at the port of shipment, and a certificate should be obtained, on the production of which at the port of destination the amount so paid shall be refunded.

Art. 22. Any person signing a false declaration or certificate with intent to deceive the Customs shall be liable to a fine not exceeding 200 yen.

Penalty for signing a false declaration or certificate.

Art. 23. No entry shall be required in the case of provisions for the use of ships, their crews or passengers, nor for the baggage of the latter, which may be landed or shipped at any time after examination by the Customs officers.

Rule in regard to ship's stores and passengers' baggage.

Art. 24. When the master of a vessel wishes to clear, he shall make application in writing, and shall hand in to the Customs authorities an export manifest containing similar particulars to those given in the import manifest. The Customs authorities shall then issue a clearance certificate, and return the Consul's receipt for the ship's papers; these two documents must be handed in to the Consulate before the ship's papers are returned to the master. In cases where there is no Consul of the nationality of the vessel, or where the vessel is under the Japanese flag, the Customs authorities, upon granting the clearance permit, shall return the ship's papers to the master.

Clearance.

Should any vessel be unable to leave the anchorage within twenty-four hours, the master shall, unless prevented by stress of weather, report the circumstances at the Custom-house. If any vessel remains in port more than twenty-four hours after having cleared, without communicating with the Customs authorities, the master shall pay a fine of 10 yen for every twenty-four hours, or fraction thereof, during which he shall remain after the time limited as aforesaid.

No clearance permit shall be issued while any ship's dues or fines remain unpaid, or until the said dues or fines are secured by the deposit of a sufficient sum of money with the Customs, or by a bond of the agents of the ship, subject to the approval of the Customs; but in every case where a master deposits the money, or his agents tender proper security, the ship shall necessarily be allowed to proceed.

Should any vessel leave a port without clearing outwards in the manner prescribed in this Article, the master, owner, or agent shall be liable to a penalty not exceeding 200 yen.

Art. 25. Should it be desired to ship or unship cargo after a vessel has been cleared outwards in the manner laid down in the preceding Article, the vessel must again be entered inwards, and when ready to clear, must again be entered outwards.

Vessels must be entered inwards again, if goods are shipped or landed after clearance.

But no vessel shall be required to pay tonnage dues on account of such re-entry.

Art. 26. Mail-steamers may enter and leave the ports of Japan at all hours of the day and night. All facilities shall be granted to them for assuring the rapid dispatch of their business and their safety during their stay in port. They may both enter and clear at the Custom-house on the same day, or at the same time. In the import manifest it shall be sufficient to enumerate the articles to be landed or transhipped at the port of entry. When the master is not able to present the export manifest at the Custom-house, the agent of the mail-steamer may do so within twenty-four hours from the departure of the ship. Vessels other than mail-steamers may, in the same manner as above prescribed, both enter and clear at the Custom-house on the same day, or at the same time, providing the Superintendent of Customs sees fit to grant the privilege.

Mail-steamers may enter and clear at same time. Other vessels may do so if the Customs consent.

Art. 27. Vessels needing repairs may land their cargo for that purpose without the payment of duty. All goods so landed shall remain in charge of the Customs authorities, and all just charges for storage, labour, and supervision shall be paid by the master; but if any portion of such cargo be sold, the duties provided by the Tariff shall be paid on the portion so disposed of, and the vessel, if exempted under Article 3 from entrance at the Customs, and from the payment of tonnage dues, shall be required to enter and pay the said dues, and shall otherwise be subject to all the provisions of these Regulations. The same rule shall apply where goods are shipped on board such vessels.

Cargo of vessels needing repairs may be landed.

Art. 28. When condemned articles or supplies belonging to ships of war are sold the purchaser shall pay duty according to the Tariff.

Duties to be paid on condemned articles belonging to ships of war when sold.

Art. 29. Claims by importers or exporters for duties paid in excess, or by the Customs authorities for duties which have not been fully paid, shall only be entertained (except, in the former case, as prescribed by Article 8 hereof) when made within thirty days from the date of payment; but no refund in the shape of reduction of duty shall be allowed to the importer or exporter in respect of damage after the goods have once passed through the Customs.

Limitation of time for claims for duties over or under paid.

Expense of conveying goods to place of examination to be paid by importer or exporter.

Art. 30. The expense of conveying goods to the place of examination, and all other expenses of a similar character, shall be borne by the exporter or importer.

Forms of applications, &c., to be those prepared by Customs.

Art. 31. All documents required by these Regulations shall be drawn up on forms prepared by the Customs, and written in the Japanese or English language.

Penalty for entering unopen ports.

Art. 32. The entrance of a ship into an unopen port in Japan is prohibited, except in the case of ships compelled thereto by stress of weather or by any other distress, or in the case of vessels which have obtained the special permission of the Japanese Government. Such entry shall be subject in all cases to the direction of the local authorities. The master of any ship violating this provision shall be liable to a fine of 1,000 yen, and all goods that are unshipped, shipped, landed, transhipped, or attempted to be unshipped, shipped, landed, or transhipped, shall be confiscated, together with all boats, vehicles, or conveyances made use of in the unshipping, shipping, landing, or transhipping of such goods.

Importation of opium prohibited.

Art. 33. All opium on board any ship arriving at a port, otherwise than opium *in transitu*, and opium for medical use on board the ship (the supply of which, in the latter case, is limited to three catties), shall be seized and confiscated by the Japanese authorities.

Should any ship have opium *in transitu* on board, the master shall report the fact in writing to the Customs, and the Customs officers on board shall seal up and take charge of such opium until the ship shall leave the harbour. The master of a vessel having opium *in transitu* on board, who fails to report the fact, shall be liable to a penalty of 200 yen.

All opium smuggled or attempted to be smuggled shall be confiscated, and in addition to such confiscation, any person smuggling or attempting to smuggle opium shall pay a fine of 20 yen for every catty, or portion of a catty, so smuggled or attempted to be smuggled.

The Japanese Government alone has the exclusive right to import opium for medical purposes.

Suspected persons may be searched by Customs officers.

Art. 34. Customs officers may search any person landing from, or embarking on board, any ship, providing they have good reason to suspect that such person has concealed any uncustomed or prohibited goods about his person. If any uncustomed or prohibited goods shall be discovered upon such person, they shall be seized and confiscated by the Japanese authorities. But before any person shall be searched, he may require to be taken without unnecessary delay before the Superintendent of Customs, who shall, if he sees no reasonable cause for search, discharge such person; but, if otherwise, direct that he be searched.

Penalties, &c., may be sued for in appropriate Courts. Goods in dispute to be held by Customs.

Art. 35. All duties, fines, penalties, and forfeitures incurred under or imposed by these Regulations, and the liability to forfeiture of any goods seized under authority hereof, may be sued for, prosecuted, determined, and recovered by the Customs authorities by action, information, or other appropriate proceeding in the Court having jurisdiction in the matter, and all such duties, fines, penalties, and forfeitures shall belong to, and be appropriated by, the Japanese Government.

In all cases where the penalty is forfeiture or confiscation, the Superintendent of Customs, except in cases otherwise provided for in these Regulations, may seize and detain the goods until a decision shall have been pronounced.

If any goods seized are of a perishable nature, or if live stock is seized, the same may be sold at public auction by direction of the Superintendent of Customs. The proceeds, after the deduction of expenses, shall be kept on deposit at the Customs, subject to all the provisions of this Article.

General penalty where special penalty is not provided.

Art. 36. Any violation of any provision of these Regulations, to which no penalty is specially attached herein, may be punished by a fine not exceeding 200 yen.

Japanese Government may adopt measures to prevent smuggling.

Art. 37. The Japanese Government may, from time to time, adopt such measures as are requisite, and not otherwise provided for in these Regulations, for preventing smuggling in Japan, and for facilitating the transaction of business at the several Custom-houses.

These Regulations not to apply to men-of-war.

Art. 38. Men-of-war shall not be subject to these Regulations, nor shall they be visited by Japanese Custom-house or police officers.

Customs office hours and holidays.

Art. 39. Office hours at the Custom-houses shall be from 9 o'clock A.M. to 5 o'clock P.M.

Notice of Customs holidays will be annually given in advance at each Custom-house.

Art. 40. The foregoing Regulations are hereby expressly substituted for the Trade Regulations hitherto in force between the Government of Japan and that of , and they shall remain in force as long as the Treaty to which they are annexed continues in operation. The Japanese Government may, however, if they think it necessary, demand at any time a revision of these Regulations with a view to the insertion therein of such modifications and additions as experience shall prove to be desirable.

These Regulations to be substituted for others now in force.

Government Bonded Warehouse Regulations.

Article 1. The manifest of the ship having been lodged at the Custom-house, as provided in the Trade Regulations, the owner or consignee of cargo desiring to store goods in the Government Bonded Warehouses of the Japanese Government must deliver at the Custom-house an application for storage, called a warehouse entry, describing the marks, numbers, and contents of all packages for which storage is required in the form marked "A."

Warehousing entry.

Art. 2. If no valid objection exists, the Custom-house authorities will authorize storage to be provided in the Government Bonded Warehouses for the goods named in the warehousing entry, and the goods can then be warehoused, but no goods can be received into the Government Bonded Warehouses unless a warehousing entry for the same shall have been duly passed by the Custom-house authorities.

Storing goods ; no goods can be stored without a warehousing entry.

Art. 3. On the completion of delivery at the Government Bonded Warehouses of the merchandize for which a warehousing entry has been passed, a receipt for such goods, called a warrant, in the form marked "B," will be issued to the consignee, or owner of the goods. This document will be sealed both by the Superintendent of the Government Bonded Warehouses and by the Customs authorities. Whenever the delivery of goods under a warehouse entry extends over more than one day, a provisional receipt for the quantities stored at the Government Bonded Warehouse shall be granted by the officer in charge day by day until completion of delivery, and pending the issue of the warrant.

Warrant.

Art. 4. No delivery can take place without the production of this warrant and an order duly signed from the consignee or owner of the goods made out in the form marked "C." If the order is for the entire quantity for which the warrant was granted, the latter will be cancelled by the Customs authorities. If for part only, such portion will be written off from the warrant, and the warrant will be returned to the holder.

No delivery can take place without the production of the warrant.

Art. 5. The duties and storage charges due upon the goods must be paid before delivery can be authorized by the Customs. Every application for delivery must be made to the Customs authorities in the form marked "D," and on being passed by the Customs the applicant must take immediate delivery of the goods therein named as soon as possible, and, under all circumstances, before the expiration of the term up to which warehouse charges have been paid.

No delivery before duties and storage charges are paid. The application for delivery.

Art. 6. One or more warrants may be given for goods deposited in the Government Bonded Warehouses, as the owner or consignee may elect, provided that no goods shall be covered by more than one warrant.

One or more warrants may be given for goods.

Art. 7. Goods of a less value than 200 yen will not be received into the Government Bonded Warehouses.

Goods of less value than 200 yen not to be received.

Art. 8. At the time of delivering goods a slip containing particulars of the storage charges due on each specific delivery will be made up at the office of the Government Bonded Warehouses and handed to the owner or consignee.

Slip containing particulars of storage charges.

Art. 9. As soon as goods are entered at a Government Bonded Warehouse they shall be in charge of the Customs authorities, who will be responsible for their safe-keeping and due delivery, risks from fire and convulsions of the elements alone excepted.

Customs officers to have charge and be responsible for safe custody of goods.

Art. 10. Damaged goods must be stored without detriment to other goods, and on such conditions as the Customs authorities may find it necessary to impose upon the owner or consignee.

Storage of damaged goods.

Art. 11. All orders for delivery should bear the same signature as the warehousing entry, or that of an employé of the owner or consignee duly authorized to sign for his

Orders for delivery. (By whom to be signed.)

employer, in which case written notice that such employé is so authorized may be required by the Superintendent of the Government Bonded Warehouses.

The ownership of goods may be transferred.

Art. 12. The ownership of goods stored in the Government Bonded Warehouses may be transferred upon indorsement by the owner, importer, or consignee of the warrant, in which case the indorsee shall be liable to all claims of the Customs in respect of the said goods. But no such transfer will be recognized unless it is duly reported to the Superintendent of the Government Bonded Warehouses for registration.

Loss of warrant.

Art. 13. In the event of the loss of a warrant or warrants, notice must be given to the Superintendent of the Government Bonded Warehouses, who will stop delivery on such document, and after the holder has made every endeavour by public advertisement, for not less than one week in a newspaper on the spot, to obtain the warrant so lost, a fresh warrant will be issued upon application made by the original owner to that effect, he giving at the same time a written undertaking holding the Customs authorities harmless should the original document be produced.

Goods not to remain in Government Bonded Warehouses longer than two years.

Art. 14. The Customs authorities may refuse to allow merchandize to remain in the Government Bonded Warehouses for a longer term than two years. If the goods should not be cleared within that period, or within such extended period as the Customs authorities may see fit to grant, the latter may authorize the sale of the goods on giving three months' notice to the holder of the warrant or warrants representing the said goods, or, in his absence, to his Consul, and also by notification of the same at the Custom-house and Government Bonded Warehouses, or in any newspaper published on the spot. All duties and charges due upon the goods, together with the expenses of the sale and notification of the same, shall be paid out of the proceeds, and the balance, if any, will be reserved for a period of three years for the party or parties to whom the goods belong, and at the expiration of the said term, the surplus, if unclaimed by the rightful owner, shall belong to the Japanese Government.

Transfer of goods from one Government warehouse to another in bond.

Art. 15. Any goods stored in a Government Bonded Warehouse at any port of importation may, with the permission of the Superintendent of Customs, be transferred by sea or land carriage to a Government Bonded Warehouse at any other port of importation.

The owner of any goods or his agent, who desires to so transfer them, shall apply in writing to the Superintendent of Customs, stating particulars of the goods and the name of the port of destination.

The said owner, or his agent, shall enter into bond in a sum equal to the duty chargeable upon such goods for the due arrival and warehousing thereof at the port of destination within such reasonable time as may be necessary for their transfer thereto.

The said bond shall be cancelled upon the rewarehousing of the goods at the port of destination, but should any deficiency be found to exist, the owner or his agent shall pay the duties chargeable upon all goods unaccounted for, unless such deficiency can be explained to the satisfaction of the Superintendent of Customs at the port of destination.

When goods are rewarehoused in the manner above provided, the duration of storage in bond, as specified in the preceding Article, shall be calculated from the date of first importation.

Hours at the warehouses. Goods landed after business hours, but before sunset.

Art. 16. The Government Bonded Warehouses will be open daily from 9 A.M., to 5 P.M., Sundays and Customs holidays excepted. But any goods for which a warehousing entry has already been made, landed after business hours, but before sunset, will be stored in the warehouses by the officer in charge. If required, an extension of the above business hours may be applied for on the same conditions as those which regulate extra work by Custom-house officers outside office hours.

Storage charges.

Art. 17. The charges for storage in the Government Bonded Warehouses shall be in accordance with the annexed scale. In no event shall any charge be made for a less time than half a-month, and any number of days under fifteen will be charged as half a-month.

Manner of inspecting goods and taking out samples.

Art. 18. Every facility will be given to owners of goods to inspect and obtain samples of merchandize stored by them in the Government Bonded Warehouses, but no sample can be taken from the warehouses without a written order from the owner or consignees requesting delivery of the same. The said request shall be accompanied by the warrant, if the same is called for.

Explosive and dangerous goods not to be received.

Art. 19. The undermentioned goods will not be received into the Government Bonded Warehouses: all duty free-goods, building materials, gunpowder, saltpetre,

chemicals, tar, pitch, seeds, oils, liquid indigo, and such other articles as are of an explosive, inflammable, or otherwise dangerous character. For the storing in bond of kerosene proper facilities will, however, be given.

Art. 20. If the Customs authorities have reason to suspect that the contents of cases or packages of goods stored in the Government Bonded Warehouses differ from the description in the warehousing entry, they may at any time open and inspect the same, due notice having been given to the owner, so that he may be present at such inspection. In the event of any error having been made either in the description of goods or number of pieces, the owner must pass a fresh warehousing entry for the same, on which a fee of 3 yen will be charged. Errors in the warehousing entry.

Art. 21. In the event of any article placed in the Government Bonded Warehouses becoming putrid or otherwise offensive, notice must be given by the Customs authorities to the owner, who must pay duty on the same and take delivery forthwith. If within two days after such notice the same is not taken away, the Customs authorities will deal with the goods as they think necessary. The expense of survey and all other charges shall be paid by the owner of such goods. Articles placed in public warehouses becoming putrid or otherwise offensive.

Art. 22. The Government Bonded Warehouses will be opened for storage of Japanese merchandize brought from Japanese ports for export in their original packages, in the same manner and on the same conditions as merchandize imported from foreign countries. No packages, however, will be received unless in a sound and secure condition. Merchandize brought from other Japanese ports.

Art. 23. Persons transacting business at the Government Bonded Warehouses will be required to use the printed forms prescribed by these Regulations. Such forms can always be obtained at the office of the Government Bonded Warehouses, and a small charge will be made for the same. Printed forms.

Art. 24. The foregoing Regulations are hereby expressly substituted for the Bonded Warehouse Regulations now in force, and they shall remain in force as long as the Treaty to which they are annexed continues in operation. Revision of these Regulations.

The Japanese Government may, however, if they think it necessary, demand at any time a revision of these Regulations, with a view to the insertion therein of such modification and additions as experience shall prove to be desirable.

No. 13.

Mr. Fraser to the Marquis of Salisbury. — (Received April 10.)

My Lord,

Tôkiô, March 5, 1890.

I HAVE the honour to transmit herewith a note, in copy, and a Memorandum, in original, sent to me by Viscount Aoki in order to enable me to lay before your Lordship the new proposals of this Government in regard to Treaty revision.

I have, &c.
(Signed) HUGH FRASER.

Inclosure 1 in No. 13.

Viscount Aoki to Mr. Fraser.

Department of Foreign Affairs, Tôkiô,
February 28, 1890.

Sir,

I HAVE already announced to your Excellency verbally that the Imperial Government have found it necessary to ask for the introduction of certain modifications into the depending proposals for the revision of the Treaties existing between our respective Governments, and, in pursuance of that announcement, I now have the honour to transmit to your Excellency a Memorandum which embodies the desired changes, and contains as well a full and frank exposition of the reasons which have rendered the introduction of amendments essential at this juncture.

It becomes my duty, therefore, in this note to explain to your Excellency the scope and effect of those modifications, and the actual considerations which have moved the

Imperial Government to believe that the amendments will prove acceptable to Her Britannic Majesty's Government.

In acquitting myself of this duty, it is hardly necessary for me to dwell at length upon the history of the negotiations in connection with the subject of the revision of the Treaties. It has, in a certain sense, been a history of disappointments and failures, but the Imperial Government are able to congratulate themselves upon the significant fact that it has, on the whole, been a history of progress. The wider knowledge of the institutions of this Empire, the more perfect appreciation of the enlightened progress Japan has made during the past three decades, and, consequently, the clearer comprehension developed by those negotiations of what amelioration of her ancient Treaties Japan may rightfully demand, have gradually drawn His Imperial Majesty's Government and the Treaty Powers nearer to a common understanding.

It is, therefore, not without hope of a speedy and amicable adjustment of the long-pending question that the Imperial Government again approach the subject, and in their endeavour to reach a satisfactory conclusion, His Imperial Majesty's Government rely upon the assistance and friendly co-operation of your Excellency's Government.

Taking the proposed amendments in the order in which they are summarized in the Memorandum, I desire to say, in reference to the first, that it does not contemplate any amplification whatever of the jurisdiction assigned under the original scheme to Japanese Tribunals, but has solely for its object the elimination of the foreign element from the Bench of the Daishin-In, and, within the sphere of Japanese jurisdiction, the consequent subjection of foreigners to purely indigenous justice.

During the first quinquennial period the new Treaties are in operation, therefore the Japanese Courts will not be able to exercise any compulsory jurisdiction whatever over the subjects and citizens of the Treaty Powers. On the contrary, such subjects and citizens may, during the transitory period, continue as exclusively within the jurisdiction of their national Tribunals as they are at the present time by remaining and carrying on their occupations within the boundaries of the several localities where they now have the right by Treaty to reside and trade. It is only after the expiration of five years that the voluntary features of Japanese jurisdiction over foreigners are to disappear, and the interim will afford aliens commorant in Japan an opportunity to study the working of the laws and judiciary of the Empire, and to adapt their concerns to the new system.

The Treaties of 1858 were by their own terms subject to revision at any time after the expiration of fourteen years, but, notwithstanding the expressly transitory nature of those compacts, interests have grown up under them, and to-day one of the most difficult problems connected with the difficult subject of Treaty revision is the fair and equitable adjustment of those interests to the amendments of the existing Treaties which experience has proved to be desirable, and it has even been seriously suggested that any material modification of the Treaties would render the Imperial Government financially liable in respect of those interests, in so far as they were disturbed by such modifications.

The Imperial Government cannot for a moment admit any such liability, but they clearly perceive that what is true in respect of the present situation would be equally true in respect of a situation created by the appointment for a limited period of Judges of foreign origin to the Daishin-In. If, under the ægis of an undertaking to make such appointments, foreign capital should seek investment in the interior of the Empire, and foreign industries should spring into existence throughout the land, it would be found to be as difficult at the expiration of twelve years to withdraw those guarantees under which capital and industries had been introduced into Japan as it is now to reconcile the interests of foreigners with those modifications of the existing Treaties which are deemed essential. In the opinion of the Imperial Government it would be the part of wisdom to allow capital and industries to seek homes in the interior of Japan under those conditions, and those conditions alone, which must ultimately surround them, rather than to establish ephemeral guarantees, which, after the capital and industries become domesticated, may be withdrawn.

Nor is it alone as a measure of expediency that His Imperial Majesty's Government deem it advisable to eliminate the stipulation concerning the appointment of foreigners as Japanese Judges. They believe that the conditions connected with the administration of justice in Japan which now exist, or which must inevitably come into existence prior to the final abolition of Consular jurisdiction, fully justify that course.

In 1872 a judicial system independent of the other branches of the Administration was organized; Courts, presided over by Judges who performed no other functions, were established, and, in short, a separate and independent Service was then created. Eight

years after that important event the Criminal Code, and the Code of Criminal Procedure, which are now in force, were promulgated. Nearly six years ago a system of competitive examinations for appointments to Judgeships was introduced, and has ever since been in satisfactory operation, and, finally, the Constitution of the Empire, which will take effect before the new Treaties can be concluded and ratified, provides: That jurisdiction shall be exercised by the Courts of Law according to law; that the organization of the Courts of Law shall be determined by law; that the Judges shall be appointed from among those who possess proper qualifications according to law, and that no Judge shall be deprived of his position, unless by way of criminal sentence or disciplinary punishment.

In subjection to, but in aid, nevertheless, of those high Constitutional guarantees, a new Law, providing for a comprehensive and complete reorganization of the Imperial Courts of Justice has just been promulgated, and will be brought into operation from the 1st November next.

Thus step by step has the work of judicial reform gone on until Japan can boast that her Bench is absolutely free and independent of Executive influence and control.

Assuming that the amended Treaties are brought into operation within the ensuing year, a simple calculation will show that when Consular jurisdiction is finally abolished, and Japanese jurisdiction in respect of foreigners loses its facultative characteristics, the new order of things will be met by a judicial organization of nearly a quarter of a century's existence; by a system of codified Criminal Laws of sixteen years' standing; and, finally, by a Bench in the selection of which the principle of competitive examination will have exercised a controlling influence for twelve years, and the perfect independence and permanency of which will have been constitutionally guaranteed for six years.

In the light of these important facts it may be asserted, without fear of contradiction, that when Japanese Tribunals supersede Consular Courts, no case in which a foreigner is interested will ever be tried in Last Instance, except by a Court composed, at least, of a majority of Judges, who have submitted to the test of a severe competitive examination, and are, consequently, well grounded in the principles of Western jurisprudence, besides being thoroughly conversant with the laws of Japan.

These considerations are guarantees of fact. I have already expressed the conviction entertained by His Imperial Majesty's Government of their sufficiency, and you will, I am sure, permit me to add that the Imperial Government venture to hope that the Government of Her Britannic Majesty may be disposed to regard them in an equally favourable light.

If this hope is realized in reference to the first amendment, the Imperial Government cannot doubt that the second modification will be accorded the same favourable reception, as guarantees of fact in connection with legislation fully as conclusive as those relating to the judiciary actually exist at the present moment. Nearly ten years have elapsed since the Criminal Code and the Code of Criminal Procedure were promulgated, and the time can now only be reckoned by months before the Constitution which was promulgated a year ago will come into force. The Imperial Government have for years been actively engaged in the labour of elaborating Civil and Commercial Codes, and it is a matter of public notoriety that these great works are nearly completed, and will ere long be proclaimed. And the fact that they have not already been promulgated, in the presence of so many inducements connected with Treaty revision, betrays the solicitude of the Imperial Government that, when issued, they shall be complete.

These circumstances united form, in the opinion of the Imperial Government, an assurance as strong, if not stronger, than the guarantees contained in the diplomatic note concerning legislation, that the laws of Japan will be, if they are not now, abreast of the advanced spirit of the age, and that from them every vestige of archaic principles, if any yet remain, will be eliminated before Japanese jurisdiction becomes absolute.

It is not deemed necessary to enlarge upon the desirability of the third of the proposed amendments. It is not, however, out of place for me to explain to you that it is the policy of His Imperial Majesty's Government to encourage small and permanent holdings of real estate, and that their experience during the years immediately succeeding 1872, when unconditional title-deeds were issued to the then permanent tenants, whereby those tenants were enabled readily to sell and mortgage their property, teaches them that the policy which they deem it prudent to pursue, especially in respect of agricultural lands, would be endangered by the introduction of cheap foreign capital into the interior contemporaneously with the opening of the country. This danger would, however, in the judgment of His Imperial Majesty's Government, practically disappear after a few years of intercourse such as the opening of the interior would

inaugurate, but they are of opinion that they should retain the power to determine when the inhibition concerning the right of aliens to own real estate in Japan can be safely removed.

In reference to the fourth amendment, it is sufficient for me to call your attention to the fact that it is in principle a reproduction of the concluding paragraph of Article I of the Anglo-Russian Treaty of 1859, and that the chief reason why the Imperial Government seek to introduce the reservation is to enable them without question, to control, if necessary, the ownership of Japanese vessels and shares in the Bank of Japan, and cognate institutions, in which the interests, either political or economical, of the State are directly involved.

These are the principal arguments that have occurred to the Imperial Government in support of amendments to the Treaty revision proposals, which they have, for the reasons given in the Memorandum, felt bound to submit to Her Britannic Majesty's Government. In presenting them to your Excellency I desire to invite your attention to the declaration contained in the Memorandum to the effect that "an irreconcilable incompatibility exists between Constitutional institutions and those immunities which are claimed in connection with Consular jurisdiction," and at the same time to assure you that the proposition implies no menace whatever, neither is it intended to indicate in any event any particular line of policy in the future.

It was made with a profound conviction of its absolute verity. It was not explained or defended in the Memorandum because it was thought that any attempt to expound or vindicate it at that moment might suggest a doubt as to its perfect soundness, but what would have been inopportune in the Memorandum is not out of place in a communication of this nature.

I am, I believe, perfectly correct in asserting that Consular jurisdiction, as it is understood and practised at the present time in Japan, has never existed in a country in which Constitutional principles prevailed, and I think I am equally correct in declaring that two elements so antagonistic cannot long abide together. They may exist side by side for a short time, as is contemplated in the present proposals, but they cannot united stand the strain of indefinite prolongation.

The actual stipulations contained in Japan's ancient Treaties are not so directly responsible for that incompatibility as are the privileges and immunities which are destitute of any express warrant for their existence, but which have been claimed upon the supposition—a supposition which the Imperial Government do not share—that they are essential to the proper and complete enjoyment of guaranteed rights.

The extra-Conventional immunities, which trench more directly upon the sovereign rights of Japan, and are at the same time more diametrically opposed to Constitutional principles than any others, are those relating to legislation.

There are certain laws which, in order to be of any value or effect whatever, must necessarily be territorial in their application, such, for instance, as the enactments relating to game, quarantine, and neutrality. Notwithstanding this manifest necessity, some of the Powers have claimed that the jurisdictional stipulations in the Treaties carry with them, as an essential incident, complete immunity on the part of foreigners from obedience to Japanese laws.

Without pausing at the moment to discuss this aspect of the question further than to remark that the Imperial Government have never admitted the validity of such an interpretation of their international engagements, it is proper for me to point out that His Imperial Majesty's Government, by consulting the wishes and thus securing the co-operation of the Powers concerning those laws, which of necessity must be universal in their operation, have constantly endeavoured, and not without some measure of success, to prevent those conflicts in reference to the reserved legislative power of the Imperial Government in respect of foreigners, which would, otherwise, naturally have grown out of the interpretations of Conventional stipulations so antagonistic as those above alluded to.

While it might be possible under a governmental organization such as exists in Japan to-day to continue thus to *negotiate* the general laws of the Empire, it is clear that in the presence of a Legislative Body possessed of power to *enact* laws that system must inevitably disappear.

It is impossible for me to predict what all the consequences of an attempt to perpetuate that system indefinitely would be, but it may well be imagined that in respect of those enactments which confer benefits, as well as impose obligations, such, for instance, as the Laws and Regulations relating to travel, hunting, railway and steam-ship passenger traffic, and the postal and telegraphic services, the Diet might deem it but just and proper to insist that those who were not bound to observe the Laws should be excluded

from the benefits of the Statutes. The Imperial Government would seriously deprecate such a conjuncture, and they would always exert their best endeavours to avert it, but in giving consideration to all the phases of Consular jurisdiction this contingency ought not to be ignored.

The Treaties which to-day form the basis upon which Japan's international relations rest have existed without material modifications for two-and-thirty years. Of this fact, however, the Imperial Government do not complain. They prefer to regard it as an inevitable part of their national discipline, but they can no longer avoid the conclusion that, apart from Constitutional considerations, the changed and changing condition of affairs in Japan renders an immediate and comprehensive revision of the existing compacts not only desirable, but necessary.

Having thus fully laid before your Excellency the circumstances which have compelled the Imperial Government at this moment to ask for amendments to the proposals now under discussion, and the considerations which have led them to believe that the desired amendments are not unreasonable, I beg you will submit those circumstances and considerations to your Excellency's Government, and at the same time invite them to an exchange of ideas—confidential at the outset if deemed preferable—on the subject.

By the adoption of this course the Imperial Government permit themselves to hope that the new negotiations will lead to that conclusion which has on all sides been long and anxiously waited. To bring about a satisfactory accommodation at once would certainly contribute to the mutual benefit of the Powers interested. Nevertheless, it is apparent, as was pointed out in the Memorandum, that the new Treaties cannot be brought into operation in advance of the anticipated meeting of the Diet, and consequently the chief inducement for pushing on unduly the great work has been removed, and the subject may now be approached with that deliberation and thoroughness which are and must remain the best guarantees of perfect accord and a satisfactory understanding.

I avail, &c.
(Signed) AOKI.

Inclosure 2 in No. 13.

Memorandum.

THE friendly reception accorded to the Treaty revision proposals which his Excellency Count Okuma presented to the Powers having Conventional relations with Japan encouraged the hope, if it did not justify the expectation entertained by the Imperial Government, that one of the most cherished aspirations of the Empire was about to be realized.

Labouring under the inspiration of that hope and expectation, the Imperial Government, for the reasons which will hereafter be more fully explained, deemed it desirable to fix upon a certain day for bringing the new Treaties into operation, and taking into consideration the rapid progress made in the earlier stages of negotiations, and the importance of an event so far-reaching in its consequences as the substitution of new Treaties in place of those that have hitherto regulated the international concerns of the Empire, it was thought to be altogether fitting and appropriate to name for the purpose the first anniversary of the promulgation by His Imperial Majesty of the Constitution of the Empire.

The Imperial Government were, however, influenced in their determination by considerations of a still more serious and practical nature. They desired, and they believed it to be the desire of all the Powers interested, that whatever advantages might accrue to foreigners generally from the new arrangement should, if possible, be enjoyed simultaneously by all. While the Imperial Government were well satisfied that no Conventional obligations resting upon them made the synchronous substitution of new Treaties in place of the existing covenants essential, they were nevertheless convinced of the practical difficulty of drawing such a marked distinction between the subjects and citizens of the different Powers as would be necessary if new Treaties with some of the Governments were put into force, while the *status quo* was maintained in respect of other States.

This difficulty, it is true, might have been avoided by selecting a more remote

date than the 11th February, 1890, for giving effect to the amended Treaties, but such a solution would inevitably have raised up contingencies which the Imperial Government could not, with a proper appreciation of what was due to the Treaty Powers, encounter.

During the present year the first Imperial Diet will be convoked, and the Constitution will then become the supreme law of the land. The people, through their chosen Representatives, will then have a voice in the legislation of the Empire, and then the Imperial Government will not be in a position to pledge with the same degree of certainty as they would now be able to do the enactment of those numerous enabling laws which are absolutely essential to the proper and complete operation of the new Treaties.

These grave considerations, it will be remembered, were, throughout the late negotiations, repeatedly and frankly presented to the foreign Representatives by the late Minister of State for Foreign Affairs as a sufficient reason for pushing on negotiations with all convenient speed and for selecting an early date for putting the new compacts into force.

The Imperial Government are now reluctantly compelled to admit that the time originally set apart by them for completing the work of Treaty revision was insufficient, and they are consequently aware that it is now impossible to put the revised Treaties into operation on the date originally designated, while the present position of the negotiations, as well as the time it has already taken to reach that position, enforces the conviction that the postponement must extend beyond the date when the Constitution is to come into operation.

If, therefore, they should at the present time, and under existing circumstances, push on without change the work of Treaty revision, they would lay themselves open to a charge of want of good faith, because they are convinced that, unless amendments are introduced into the present proposals, the Imperial Government will be unable to secure the enactment of those laws in aid of the new compacts which are regarded as essential.

The Diet will in a great measure naturally reflect public opinion, and consequently the public excitement on the subject of Treaty revision which existed during the latter half of last year, and the public discussion consequent upon that excitement, have enabled the Imperial Government to gauge with accuracy what modifications of the existing scheme are necessary.

In this situation of affairs, and impressed as they are with the conviction that under no circumstances would they be justified in concluding Treaties which, in consequence of the known opposition of the legislative branch of the Government, could not be put into complete operation, but two alternatives present themselves to the consideration of the Imperial Government :—

1. To postpone indefinitely the work of Treaty revision ; or
2. To offer such amendments to the present proposals as will secure the co-operation of the Diet in putting the Treaties into force.

As between these two courses the Imperial Government cannot hesitate. Their anxious desire to preserve what has already been accomplished in the direction of Treaty revision, at the expense of so much time and enlightened labour ; their constant and abiding wish to secure a fair and equitable solution of the question, and, above all, the important consideration that an irreconcilable incompatibility exists between Constitutional institutions and those immunities which are claimed in connection with Consular jurisdiction, imperiously demand the unconditional acceptance of the latter alternative. And they the more readily accede to that demand, as they feel confident that the suggested changes will prove acceptable to the Powers.

The modifications which the Imperial Government are convinced would, on the one hand, serve to conciliate divergent opinions which the introduction into the Government of a new legislative element will create, and would, on the other hand, remove from the arena of discussion all questions concerning the constitutionality of the Treaties, may be summarized as follows :—

1. The cancellation of the engagement concerning the appointment of Judges of foreign origin to the Daishin-In ;
2. The withdrawal of the stipulations concerning the elaboration, codification, and promulgation of the laws of the Empire ;
3. The withdrawal of the stipulation concerning the right of foreigners generally to possess real estate, it being understood that this amendment is not to affect the Conventional right at present enjoyed by the subjects and citizens of the Treaty Powers to lease land within certain defined localities in Japan ; and

4. The introduction of certain reservations in reference to the right of aliens to be placed upon a national footing.

The first and second of the proposed changes could be accomplished by the withdrawal of the two diplomatic notes.

The third could be secured by striking out the words "real estate" and "real or" in the second paragraph of Article I of the draft Treaty. This elimination would render desirable, and the Imperial Government would consent to the insertion of the following stipulation in the second paragraph of Article II, between the words "subjects" and "conforming": "*and to hire and occupy lands, houses, and warehouses for all lawful purposes.*"

The fourth amendment would be effected by inserting at the end of Article II the following clause: "*It is understood, however, that the stipulations contained in this and the preceding Article in nowise affect the Laws, Decrees, and special Regulations, based upon the Sovereign Power of the State, regarding administrative and police matters, now in force or which may hereafter be enacted in each of the two countries, and generally applicable to all foreigners.*"

Apart from the manifest duty devolving upon the Imperial Government to anticipate as far as possible the wishes of the Diet in a matter in which the active co-operation of that body will be indispensable, they have been greatly influenced in their present action, at least so far as the first two suggested modifications are concerned, by Constitutional considerations.

Having regard to the first of the proposed amendments, the Imperial Government are unable to controvert the proposition that any Conventional engagement or law which makes alienage the chief essential qualification for appointment to office of trust under the Constitution of the Empire is certainly antagonistic to the spirit, if not the letter, of that instrument.

Turning to the second modification, the Imperial Government are of opinion that any engagements or stipulations in reference to future legislation which in any wise hamper or attempt to interfere with the free and independent legislative functions of the Government as organized under the Constitution must be regarded—if not as unconstitutional—certainly as impolitic and unwise, and they are consequently convinced that they ought not now to give their adhesion to them.

They are, moreover, constrained to think that the guarantees to be given by them in connection with jurisdiction and legislation should only be commensurate with the interests to be subserved. When the proposals now under discussion were submitted to the Great Powers, not only had the Constitution not yet been proclaimed, but it was thought until long after the promulgation of the Great Charter that in the matter of going into operation the Treaties would take precedence over the Constitution. The nature and scope of the free and spontaneous grants made by His Imperial Majesty to his subjects are now known, and it is also known that the new Treaties, when concluded, must come into force under and in subjection to the Constitution. These circumstances, and the no less important facts that the Constitution carefully guards and fully protects the rights and liberties of the people, and that under it the Representatives of the people will have a voice in the enactment of the laws of the land, ought, in the judgment of the Imperial Government, to be regarded as a sufficient assurance that those laws will always be responsive to the requirements of the people, foreign as well as native.

There is no Constitutional question involved in the proposed third amendment. The privilege of owning real estate is not essential to the perfect enjoyment of the principal rights guaranteed by the proposed Treaty. Having this fact in view, as well as the consideration that the question is one which, it is generally admitted, appeals more directly to domestic legislation than to international regulation for adjustment, the Imperial Government are persuaded that it would be advisable to leave the subject to the unfettered disposition of the several Powers individually.

In reference to the proposed fourth and last modification, it may be stated that the change is suggested out of abundant caution. The Imperial Government are convinced—and their judgment receives confirmation from the action of other Powers—that there is nothing in the Treaty revision proposals as they stand at present that would impair their natural and inherent right, as a measure of self-protection, to impose general and reasonable restrictions in respect of the rights of aliens, where the political or economic interests of the State are directly involved. Nevertheless, the Imperial Government are anxious to remove from their intercourse with other Powers every possible cause for future discussion or misunderstanding, and for this reason, as well as the reasons already given which apply equally to all the proposed alterations, the Imperial Government desire the introduction of this express reservation in the New Treaties.

The Imperial Government have thus freely and frankly exposed the motives which have influenced their action at the present juncture, in the confident hope and expectation that their efforts to bring about a perfect understanding upon the long-pending question will merit and secure the friendly co-operation of the Powers. They hasten to add that their present action implies no abandonment of their firm determination to push on to final completion the great work. On the contrary, they wish to expedite that work by effectually guarding against eventualities created by the lapse of time, which would seriously interfere with the desired consummation. In perfect harmony with that wish, as well as with the dictates of sound policy, is the determination of the Imperial Government to bring all the new Treaties into operation at the same time, regardless of the date of conclusion.

*Department of Foreign Affairs, Tókió, Japan,
February 8, 1890.*

No. 14.

Mr. Fraser to the Marquis of Salisbury.—(Substance received by telegraph, May 19.)

My Lord,

Tókió, May 19, 1890.

I HAVE ventured to recommend to your Lordship, by telegraph, an extension of the proposed period during which Consular jurisdiction shall be retained in Japan from five to eight or ten years; that is to say, that Her Majesty's Government should—in the first instance at all events—lay down the longer term in the counter-proposals that will have to be brought forward if Viscount Aoki's conditions, submitted in my despatch of the 28th December last, are found unacceptable.

I have, &c.
(Signed) HUGH FRASER.

No. 15.

The Marquis of Salisbury to Mr. Fraser.

Sir,

Foreign Office, June 5, 1890.

I HAVE received and laid before the Queen your despatch of the 5th March last, in which you forward copies of a note and Memorandum from Viscount Aoki, containing the new proposals of the Japanese Government in regard to Treaty revision.

Those proposals, the general nature of which Viscount Aoki had been good enough to indicate some time before, have received the careful consideration of Her Majesty's Government. Briefly speaking, they may be said to involve the withdrawal of all special arrangements and assurances as regards the administration of justice to British subjects, the refusal or postponement of their admission to hold real property, and a reservation of a right to enact special measures in regard to them, provided such measures apply to all foreigners in general.

Her Majesty's Government do not wish in any way to question the cogency of the reasons which are assigned by the Japanese Government for the course which they have thought it right to adopt. But it cannot be denied that the new proposals constitute a very serious departure from the terms which the Japanese Government themselves put forward at the beginning of last year, and which have served as the basis of all subsequent negotiations. It must be regarded also as somewhat unfortunate that while it is now thought necessary to refuse to foreigners any special privileges in regard to jurisdiction as incompatible with the Constitution and representative institutions about to be introduced in Japan, it should be proposed to reserve liberty to subject them to special disabilities or restrictions.

With regard to this latter point, Her Majesty's Government would wish that of Japan to consider seriously whether it would be desirable to introduce into the new Treaties such a clause as they propose. For themselves they see the gravest objections to such a stipulation. It is far more comprehensive in its scope than the provision in the Treaty between England and Russia, on which it is said to be based, and goes greatly beyond what is necessary for the purposes for which it is stated to have been

framed. It is almost certain to be viewed with suspicion and alarm by the foreign community; nor can Her Majesty's Government see that it would have, as Viscount Aoki states, the effect of removing "every possible cause for future discussion or misunderstanding" with other Powers, for no such reservation could be construed as depriving foreign Governments of the right to remonstrate against enactments which seem to them to press unjustly upon their nationals, or to be contrary to the general spirit of the Treaty arrangements.

As regards the appointment of foreign Judges and the extent of their jurisdiction, I hope it has been made abundantly clear in the course of the negotiations that the proposals of Her Majesty's Government have not been dictated by any distrust of the impartiality or high qualifications of the native Magistrates, or of the liberality of the Codes which they will be called upon to administer. But it seemed eminently desirable that at the inauguration of the new state of things provision should be made to settle those difficulties and complaints which almost necessarily arise on such occasions with as little recourse as possible to diplomatic intervention. Even with the best systems of jurisprudence, perfected by long practice, miscarriages of justice will occasionally occur, and disappointed suitors are apt to believe in such miscarriages on grounds more or less inadequate. It would have been of advantage to both Governments that there should have been a Tribunal to the composition of which even the most prejudiced could take no exception, and to which all such cases would have been referred in the natural course of legal procedure.

If, however, for reasons of internal policy, the Japanese Government see insuperable objections to making such an arrangement, Her Majesty's Government believe that the wisest course will be to postpone altogether the extension of Japanese jurisdiction to foreigners until the new system has been in operation for some little time, and practical experience has been had of its working. There would then probably be no difficulty in arranging for its application to all foreigners without exception or limitation. Her Majesty's Government are convinced that this plan will be found far more convenient, and that it will give rise to much less embarrassment than an immediate but partial exercise of jurisdiction over foreigners, with concurrent Consular jurisdiction within the foreign Settlements.

Her Majesty's Government entirely agree with the Japanese Government in deprecating the abandonment or indefinite postponement of the results which have been obtained by the negotiations of the past year, and they see no reason for such a sacrifice. They would propose that a Treaty should at once be signed, containing all those provisions on which the British and Japanese negotiators have already been able to come to an agreement, and that by a Protocol, to be signed at the same time, the extension of Japanese jurisdiction over British subjects, and all those concessions which the Japanese Government make dependent upon it, should be postponed for a period of not less than five years, and until the new Courts and Codes have been in operation for at least twelve months, the Japanese Government engaging in the meanwhile to give full facilities to British subjects to travel in the interior with passports, but not to reside or trade there.

I inclose drafts of a Convention and Protocol which have been prepared to this intent, and which I should wish you to communicate to Viscount Aoki, with a copy of this despatch, and to recommend earnestly to his favourable attention.

I am, &c.
(Signed) SALISBURY.

Inclosure in No. 15.

Draft Treaty of Friendship and Commerce between Great Britain and Japan.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland Empress of India, and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland,
Empress of India,

And His Majesty the Emperor of Japan,

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

All rights, privileges, and immunities enjoyed by British subjects under previous Treaties are, in so far as they are not abrogated or modified by the provisions of this Treaty, or of the Protocol signed this day, hereby expressly maintained and confirmed.

ARTICLE II.

It is agreed by the High Contracting Parties that, in lieu of the import duties hitherto levied and collected, the duties specified in the Tariff hereunto annexed may, subject to the provisions of Article III, be levied by the Japanese Government on all goods, the growth, produce, or manufacture of the dominions and possessions of Her Britannic Majesty, upon importation into Japan.

The Japanese Government, however, reserves to itself the right to restrict or temporarily prohibit the importation of any article which, for sanitary reasons, or in view of public security or morals, might offer any danger.

It is understood by the Contracting Parties that the Japanese Government, in the event of its imposing or augmenting any internal duty on sake, shoyu, mirin, or tobacco, may impose a compensatory duty on such articles imported into Japan, provided such compensatory duty, with the Customs duty added, shall not exceed the internal tax or duty.

Import duties payable *ad valorem* in Japan shall be calculated on the actual cost of the goods at the place of purchase, production, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication, to the port of discharge, as well as commission, if any exists. The sum thus obtained shall be regarded as the dutiable value of the goods upon which the rate of duty provided in the Tariff shall be paid.

Goods of foreign production or manufacture reimported into Japan, after having been exported therefrom, shall pay import duty in accordance with the Tariff, notwithstanding duty may have been paid upon such goods when originally imported.

Goods of Japanese production or manufacture brought back from foreign countries to Japan shall pay an *ad valorem* duty of 5 per centum.

ARTICLE III.

No other or higher duties shall be imposed on the importation into the dominions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article, the produce or manufacture of the dominions of His Majesty the Emperor of Japan, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE IV.

No other or higher duties or charges shall be imposed in the territories of either of the Contracting Parties on the exportation of any article to the territories of the

other than such as are, or may be, payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other country.

ARTICLE V.

The subjects of each of the Contracting Parties shall enjoy, in the dominions and possessions of the other, exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE VI.

All goods imported into Japan by British subjects on which the duty shall have been paid according to the Tariff annexed to this Treaty may be conveyed to any Japanese port free of duty, and when transported into the interior shall not, except as herein otherwise provided, be subject to any additional tax, excise or transit duty whatsoever in any part of the Japanese Empire.

ARTICLE VII.

When goods of foreign production or manufacture, which have been removed from the custody and control of the Customs, are, within two years from the date of their importation, exported from Japan, such goods shall be allowed to pass the Customs free of export duty, and the importer thereof shall, in addition, be entitled to receive a drawback certificate for the amount of the import duties paid thereon, provided that all charges upon the said goods to the Customs shall have been paid; that they are *bonâ fide* exported to a foreign country; that they are so exported in the casks, bottles, cases, boxes, trunks, or packages, &c., in which they were originally imported, without having been opened or unpacked, except by the Customs, or with their permission; that the original import permit shall accompany the application for drawback or duty, and be retained by the Customs authorities, and that the said goods shall be, at the time of their exportation, subject to such examination and inspection as the Customs authorities may deem necessary to determine their identity with the goods described in the import permit. These drawback certificates shall either be redeemed on demand, or be at any time accepted by the Customs authorities in payment of duties.

ARTICLE VIII.

All articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into the ports of the dominions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions or possessions of either of the Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese or in British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

ARTICLE IX.

The coasting trade of both the Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws of Great Britain and

of Japan respectively. It is, however, understood that British subjects in Japan, and Japanese subjects in the dominions and possessions of Her Britannic Majesty, shall enjoy in this respect the rights which are, or may be, granted under such laws to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Britannic Majesty, and a British vessel, laden in a foreign country with cargo destined for two or more ports in Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and Custom-house Regulations of the two countries.

But the Imperial Japanese Government makes the following concession in addition, that British vessels may carry cargoes between any of the ports hereinafter mentioned, namely Yokohama, Kobé, Hiôgô, Nagasaki, and Hakodate.

ARTICLE X.

British subjects shall be entitled to charter ships to Japanese subjects for employment in the coasting trade of Japan, subject, however, to the observance of the following stipulations:—

No British vessel shall be permitted to engage in the coasting trade of Japan under the provisions of this Article except such as are chartered by Japanese subjects alone, or by British and Japanese subjects trading jointly, either in partnerships or Companies. It is, however, understood that the fact of a Japanese subject being associated in a business partnership with one or more British subjects shall not be held to debar him from the advantages conferred under this Article.

Any Japanese subject desiring to charter a British vessel for the coasting trade shall apply in writing to the Customs authorities of the port of charter, setting forth in his application all the particulars relating to the vessel, so far as it is possible to give them, and the name and nationality of the master. The application shall be accompanied by a draft of the charter-party, to be signed by the owner, master, or agent of the vessel; this draft shall mention the object of the charter, its duration, and the amount of charter-money to be paid. Upon the receipt of this application, the Customs authorities shall, upon the payment of a fee of 50 yen, issue a permit, to be called the "charter-permit."

The term for which British vessels may be chartered shall not exceed twelve calendar months. At the expiration of the charter, the charter-permit shall be returned to the Customs authorities of the port of charter. The charter, may, however, be renewed and a new charter-permit obtained upon the payment of a further fee of 50 yen, and upon application being made in the same manner as in the case of the original charter.

In addition to the foregoing fee, chartered British vessels shall pay from the date of first clearance under charter tonnage and light dues at the rate of 2 sen per ton for every month, or fraction of a month, during which their charters continue.

Chartered British vessels shall carry a distinguishing flag to indicate that the vessels are chartered by Japanese subjects.

They shall, in the same manner as Japanese vessels, be obliged to carry mails when required to do so by the Japanese postal authorities. But such vessels shall, under no circumstances, be allowed to carry mails without permission from the said authorities.

Chartered British vessels shall only be permitted to engage in the coasting trade. When going abroad the charter-permit shall be surrendered to the Customs authorities of the port of clearance, and all such goods as may have been shipped at any port while the vessel was so chartered shall be subject to the prescribed export duties.

Chartered British vessels are subject to the Trade Regulations, in so far as such Regulations are applicable, but their charter-permits shall, when in port, be deposited with the Customs authorities.

ARTICLE XI.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary

supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the district of the occurrence, or, if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of British vessels, wrecked or cast on shore in the territorial waters of the Japanese Empire, shall take place in accordance with the laws of Japan; and, reciprocally, all measures of salvage relative to Japanese vessels wrecked or cast on shore in the territorial waters of Her Britannic Majesty, shall take place in accordance with the laws of Great Britain.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

ARTICLE XII.

If any seaman should desert from any merchant-ship belonging to either of the Contracting Parties within the territory of the other, the local authorities shall be bound to give every assistance in their power for the apprehension and handing over of such deserter, on application to that effect being made to them by the Consul of the country to which the ship of the deserter may belong, or by the deputy or representative of the Consul.

It is understood that this stipulation shall not apply to the subjects or citizens of the country where the desertion takes place.

ARTICLE XIII.

British vessels entering Japanese ports shall pay tonnage and light dues at the time of entry at the Custom-house according to one of the following rates at the option of the masters, owners, or agents of such vessels:—

1. 25 sen per ton for one Japanese port of call only.
2. 30 sen per ton for a period of two months, with the option to call at any number of Japanese ports, but at no foreign port or ports.
3. 80 sen per ton for a period of six months, with the option to call at any Japanese or foreign port or ports.
4. Mail Companies may, if they desire, free their vessels from tonnage and light dues for seven consecutive schedule-voyages on paying a duty of 80 sen per ton on the average tonnage of the vessels making such voyages. This payment must be made at the time of the first entry. It shall be calculated according to the schedule arrange-

ment of the Company, on condition that reimbursement shall be made either by the Customs authorities or by the Mail Companies, as the case may be, at the time of the seventh entry, of any excess or deficiency in the dues paid, arising from any changes which may have taken place in the vessels employed.

The net registered tonnage of vessels, as shown by the certificate of registry or other papers, shall be taken as the basis on which tonnage and light dues shall be calculated.

The following vessels shall be exempt from the payment of tonnage and light dues in Japan :—

1. Men-of-war.
2. Pleasure yachts and pilot-boats duly licensed by the Japanese Government.
3. Fishing-vessels having no cargo on board.
4. Vessels of less than 20 tons burden.
5. Vessels putting into port in distress or for repairs, provided they do not engage in trade.
6. Vessels entering and clearing in ballast.
7. Vessels leaving port within forty-eight hours after anchoring, provided they do not land, ship, or tranship cargo, or land or take on board passengers or mails. Such vessels shall, however, pay a Customs fee of 15 yen.

The fees hitherto paid on the entrance and clearance of British vessels in Japanese ports shall be no longer levied.

ARTICLE XIV.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, Corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE XV.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are, or may hereafter be, granted to Consular officers of the most favoured nation.

ARTICLE XVI.

The Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour, or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, subjects, or citizens of any other State shall be extended immediately and unconditionally to the Government or subjects of the other Contracting Party; it being their intention that each country shall be placed in all respects by the other on the footing of the most favoured nation.

ARTICLE XVII.

The High Contracting Parties agree that the Regulations* annexed to this Treaty, namely, the Trade, Government Bonded Warehouse, and Harbour Regulations, shall be regarded as forming a portion of the same.

* See pp. 41-49, 102; and 114.

ARTICLE XVIII.

The stipulations of the present Treaty shall be applicable, so far as the Laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's Representative at Tôkiô, within two years from the date of the exchange of ratifications of the present Treaty.

ARTICLE XIX.

The present Treaty shall come into force one month after the exchange of the ratifications, which shall take place at Tôkiô within one year after its signature, and shall remain in force for twelve years after the exchange of ratifications.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date of the exchange of the ratifications, to give notice to the other of its intention to terminate this Treaty, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

In witness whereof the respective Plenipotentiaries have signed and sealed this Treaty in quadruplicate, two copies being in the Japanese and two copies in the English language. All of these copies have the same meaning and intent, but in case of conflict the English text shall decide.

Done at the city of Tôkiô, this day of the month years of Meiji,
corresponding to the day of , in the year of the Christian era.

Draft of Protocol.

The Government of Her Majesty the Queen of Great Britain and Ireland, and Empress of India, and the Government of His Majesty the Emperor of Japan, being desirous of concluding an equitable arrangement in regard to the question of the jurisdiction exercised under existing Treaties by Great Britain over her subjects in Japan, and such other matters as it is also considered advisable in the interests of both countries to regulate, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations:—

1. It is agreed between the two Governments that the Consular jurisdiction exercised by Great Britain over her subjects in Japan shall continue to be exercised for a minimum period of five years; that if, at the expiration of that period, the Japanese Codes and Laws now in process of elaboration shall have been promulgated and have been in actual and satisfactory operation for a continuous term of twelve months, the Consular jurisdiction of Great Britain in Japan shall thereupon cease to be exercised, but that otherwise the said jurisdiction shall continue until the aforesaid continuous term of twelve months during which the Codes shall have been in actual and satisfactory operation shall have elapsed.

It is further agreed between the two Governments that, in anticipation of the cessation of the Consular jurisdiction, an arrangement shall be entered into between Her Majesty's Representative in Tôkiô and the Japanese Government, with respect to

the future tenure of land in Japan by British subjects, the incorporation of the existing foreign Settlements with Japanese communes, and the transfer of Municipal funds on the basis of Article XXII of the draft Treaty proposed by the Japanese Government in December 1888; and that with the cessation of British Consular jurisdiction all privileges and immunities in regard to jurisdiction which British subjects in Japan may have enjoyed under previous Treaties shall thereupon cease to exist.

2. It is agreed between the two Governments that the opening of the whole of Japan, unconditionally, to British subjects shall take effect from the date of the cessation of British Consular jurisdiction; that from the same date there shall be entire freedom of commerce and navigation between the dominions and possessions of the two Governments; that British subjects in Japan and Japanese subjects in Great Britain shall, in regard to all rights of residence, travel, and the possession of real estate, and in all matters of jurisdiction, taxation, exemption from military service, or contributions in lieu thereof, and billeting, enjoy the same rights, privileges, and immunities, and shall be subject to no higher imposts or charges, than native subjects or the subjects or citizens of the most favoured nation; that the subjects of each Government shall enjoy in the territories of the other entire liberty of conscience, the right of private or public exercise of their worship, and the right of burying their respective countrymen according to their religious customs in such suitable or convenient places as may be established or maintained for that purpose—subject always to the Laws and Regulations of each country.

3. The Japanese Government, pending the opening of the country to British subjects, agrees to extend the existing passport system in such a manner as to allow British subjects, on the production of a certificate of recommendation from the British Representative in Tôkiô, or from any of Her Majesty's Consuls at the open ports in Japan, to obtain, upon application, passports available for any part of the country and for any period not exceeding twelve months, from the Japanese Foreign Office in Tôkiô, or from the chief authorities in the Prefecture in which an open port is situated; it being understood that the bearers of passports thus issued shall not engage in commercial transactions while in the interior; the necessary Regulations to be determined by Her Majesty's Representative in Tôkiô and the Japanese Minister for Foreign Affairs.

4. The Japanese Government undertakes, before the cessation of British Consular jurisdiction in Japan, to join the International Conventions for the Protection of Industrial Property and Copyright, and to pass Laws giving full effect to these Conventions.

5. The Japanese Government, in view of the altered conditions of trade which may be created by the operation of the revised Tariff annexed to the Treaty of Commerce and Navigation signed this day, undertakes to establish a system of private bonded warehouses on the basis of the Regulations framed during the Conference for the revision of the Treaties in 1886-87, should the necessity for the establishment of this system arise.

No. 16.

The Marquis of Salisbury to Mr. Fraser.

(Telegraphic.)

Foreign Office, June 26, 1890.

I HAVE received your despatch of the 19th ultimo, suggesting that the term of five years before the abolition of Consular jurisdiction should be extended to eight or ten years, during which the new Japanese Codes shall have been in continuous operation for at least two years.

I have already sent to you in my despatch of the 5th instant instructions and a draft Protocol drawn in accordance with your previous proposals.

The wording should be amended, if all the Codes are promulgated before the Protocol is signed, so as to coincide with that fact.

The delay of five years will, I think, be sufficient. But it will be better that, in the stipulation as regards the Codes, the words, "have been actually in operation for a term of twelve months," should be altered in the Protocol to "have been in actual and satisfactory operation for a continuous term of twelve months;" and in the same sentence further on the wording should be as follows: "until the aforesaid continuous term of twelve months, during which the Codes have been in actual and satisfactory operation, shall have elapsed,"

You should make these alterations in the draft Protocol before presenting it to the Japanese Government.

No. 17.

Mr. Fraser to the Marquis of Salisbury.—(Received October 18.)

My Lord,

Tôkiô, September 13, 1890.

I HAD the honour, on the 14th July, to receive your Lordship's despatch of the 5th June upon the subject of Treaty revision, inclosing copies of a draft Protocol and Convention, to be proposed to the Japanese Government in place of Viscount Aoki's conditions that had been submitted to your Lordship in my despatch of the 5th March. I had previously received instructions from the Foreign Office by telegraph to make certain alterations in the text of these documents; and they were altered accordingly, upon their arrival, in conformity with those instructions, and communicated at once.

The summer vacation was then just about to begin; and, therefore, Viscount Aoki, both on this account and because of the delay likely to result from the necessity of translating the papers and bringing all of his colleagues into agreement upon every point, explained to me that some time must inevitably elapse before he could give me an official reply from the Government collectively. At the same time, he expressed, in very warm terms, his sense of the liberality and friendliness which Her Majesty's Government had evinced both in the character of their proposals and in the language of the despatch that had served to inclose them.

On the 12th instant, yesterday, the official vacation having come to an end, a Cabinet meeting was held in the Emperor's presence, in which a decision was finally taken in regard to your Lordship's proposals; and I received the same evening from Viscount Aoki the note in English, of which I have the honour to inclose a copy herewith. I am to meet his Excellency on the 16th to discuss the drafts, in which this Government state that they desire the introduction of no more than slight modifications. I have explained privately to Viscount Aoki, in reply, that they are not of a nature to admit of any serious change.

I am told that two of the other ministers, Count Saigo and Count Goto, the first representing the Satsuma clan and the second the Radical party in the future Parliament, will be associated with Viscount Aoki, who himself represents the Choshu clan, in all negotiations for Treaty revision; but I have not yet received any official information to that effect.

I have, &c.
(Signed) HUGH FRASER.

Inclosure in No. 17.

Viscount Aoki to Mr. Fraser.

*Department for Foreign Affairs, Tôkiô, the 12th day,
the 9th month, the 23rd year of Meiji.*

Sir,

THE note which your Excellency did me the honour of addressing to me on the 15th July last, in reply to my communication of the 28th February previous in reference to Treaty revision, was duly received.

I hastened to lay your Excellency's note, and its accompaniments, namely, the copy of a despatch from the Marquis of Salisbury to your Excellency, and its inclosures, a draft Treaty and a draft Protocol, before the Government of His Majesty the Emperor; and I am happy to be able to acquaint your Excellency that the Imperial Government, without pausing to discuss antecedent negotiations, accept as a basis for future negotiations the proposals of Her Britannic Majesty's Government embodied in the two drafts above alluded to. The Imperial Government, however, find it necessary to ask for the introduction into the scheme of a few modifications; but, considering the unimportant nature of nearly all the desired changes, I cannot permit myself to believe that the suggestions of His Imperial Majesty's Government will in the least interfere with the speedy and satisfactory adjustment of the question.

In order that I may make your Excellency acquainted with the nature and scope of the proposed amendments, and the motives which have influenced the action of the

Imperial Government, I beg to request that you will, if convenient, meet me at this Department on the 16th instant, at 11 o'clock in the forenoon.

In communicating to your Excellency the Resolution of the Imperial Government, it becomes my agreeable duty to assure your Excellency that the prompt liberal and friendly action of your Excellency's Government was highly appreciated by the Imperial Government; and I desire at the same time to express to you the conviction, that that action cannot fail to promote in a marked degree the good relations between our respective Governments.

I avail, &c.

(Signed) AOKI,

His Imperial Majesty's Minister for Foreign Affairs.

No. 18.

Mr. Fraser to the Marquis of Salisbury.—(Received December 11.)

My Lord,

Tōkiō, November 10, 1890.

I REGRET to have been unable for so long a time to make any report upon the result of the proposals for a new Treaty between Great Britain and Japan which I submitted to this Government, by your Lordship's direction, in the middle of July last. They were very gladly received by Viscount Aoki, the Minister for Foreign Affairs, but he thought it necessary to collect opinions not only from the whole of his colleagues in the Cabinet upon every point, but from persons of influence who remain altogether outside it. The question has been rather an anxious one to Japanese statesmen since the attack on Count Okuma.

Viscount Aoki is certainly anxious to conclude the Treaty, and has strengthened himself by procuring the appointment of Count Goto and Count Saigo as Plenipotentiaries with him, and has been pressing Count Yamagata, the Prime Minister, to allow the regular negotiation to begin.

Count Yamagata himself called on me two days since, and began at once to speak about Treaty revision. He said that he and his colleagues felt extremely grateful to Her Majesty's Government for the very friendly and liberal proposals which your Lordship had made to them, and desire to meet these proposals in a proper manner. It was to be regretted that so much delay should have occurred in consequence of preparations for regulating the transaction of business in Parliament, which might or might not prove applicable, but these were now completed, and the Cabinet was at liberty to give its attention to the negotiation with Great Britain.

Whatever may be the result of your Lordship's proposals for Treaty revision, they have certainly served to raise the estimation in which England is held in this country very materially.

I have, &c.

(Signed) HUGH FRASER.

No. 19.

Mr. Fraser to the Marquis of Salisbury.—(Received December 26.)

My Lord,

Tōkiō, November 21, 1890.

SINCE the date of my despatch of the 10th instant I have had a conversation upon Treaty revision with Viscount Aoki, the Minister for Foreign Affairs.

I waited on his Excellency at the Ministry for Foreign Affairs very shortly after Count Yamagata's visit to the British Legation, in order to ask when I might look for an invitation on the part of the Japanese Plenipotentiaries to meet them and begin the negotiation.

He said that the Japanese Cabinet thinks it would be unwise to begin to negotiate with Her Majesty's Government until the meeting of Parliament takes place, and the Minister for Foreign Affairs has had time to make a statement to the Diet on the subject. This statement Viscount Aoki told me will be an exposition, in general terms, of the course and results of negotiations in the past, and the actual situation of the question in the present, and it will not be unnecessarily delayed.

I have not yet received any official intimation of the date of the opening ceremony, but it must take place very shortly.

I have, &c.

(Signed) HUGH FRASER.

No. 20.

Mr. Fraser to the Marquis of Salisbury.—(Received March 2.)(Extract.) *Tōkiō, January 28, 1891.*

THE concessions which this Government appears anxious to secure are: the exclusion of aliens from the right to own real property, except in the Settlements; the suppression of Article X of the British draft (coasting trade and charter-party); and the recovery of Tariff autonomy by Japan at an earlier date than that which is set down in the British proposals.

Viscount Aoki sounded me on these points a few days since. It was impossible to give him any answer, or to express any opinion at all, favourable or unfavourable, upon a part of the Japanese proposals without an exact knowledge of the whole; but I pressed his Excellency to begin the formal conferences as soon as possible, and said only that it would be a pity to put forward any demands of a nature to be rejected by your Lordship *in limine* as incompatible with the basis of the negotiation.

No. 21.

Mr. Fraser to the Marquis of Salisbury.—(Received June 10.)(Extract.) *Tōkiō, May 4, 1891.*

THE Japanese Cabinet is passing through a crisis which has been brought about chiefly, if not entirely, by the appearance of fresh difficulties in the matter of Treaty revision. Count Yamagata, the Prime Minister, is unwilling to remain in office. He has recently suffered a very severe attack of illness, and has been much shaken by it, so that his wish to retire may be founded in part upon natural reasons of health. The crisis is only partial at present. If Count Yamagata's colleagues can find another leader ready to take up the disputed question at once, I believe they are willing to remain in office, but if that cannot be done they will probably have to disperse. Some of them certainly could not remain in office if Treaty revision were abandoned.

No. 22.

Mr. Fraser to the Marquis of Salisbury.—(Received June 11.)(Extract.) *Tōkiō, May 12, 1891.*

I HAVE endeavoured to gain more definite information from Viscount Aoki, the Minister for Foreign Affairs, upon the situation and projects of the Japanese Government since Count Yamagata's resignation, but with very little result.

Viscount Aoki, who had sent me a message only a few days earlier to the effect that he would soon be ready to give me, officially, a Memorandum of all the amendments which he and his colleagues desired to introduce into your Lordship's drafts, protested that Count Yamagata's resignation had nothing to do with Treaty revision, but confessed that new and embarrassing difficulties had arisen in regard to it.

No. 23.

*Mr. Fraser to the Marquis of Salisbury.—(Received July 9.)*My Lord, *Tōkiō, June 9, 1891.*

I HAVE not yet learnt from Viscount Enomotto what intentions the new Cabinet may have in regard to Treaty revision. Viscount Aoki had to draw up a Memorandum upon the matter for the instruction of his successor, and this may perhaps not yet be ready or not yet properly studied. Your Lordship's proposals have been formally accepted once as a basis of negotiation, and it rests with the Japanese Ministers to take the next step at their leisure.

The Japanese Committee for Treaty revision has been broken up by the retirement of Viscount Aoki and Count Saigo. The remaining member, Count Goto, is said to have also begged to be relieved from his duty in this respect. If a new Committee

should be appointed, it is thought that it will consist of Viscount Enomotto and Mr. Mutsu, now Minister of Commerce, but lately Envoy at Washington, and said to be the author of the Mexican Treaty of 1889.

The Italian Government, as your Lordship is aware, has made proposals identical with those of Great Britain to this Government. The Italian Minister, who had been absent on leave for a year past, is expected to return to this country from day to day.

I have, &c.
(Signed) HUGH FRASER.

No. 24.

Mr. Fraser to the Marquis of Salisbury.—(Received July 31.)

My Lord,

Tókió, June 25, 1891.

IN the course of a visit which I paid yesterday to the Department of Foreign Affairs Viscount Enomotto told me that he had not yet received the Emperor's commands to institute a negotiation for Treaty revision.

In the matter of Treaty revision the Japanese Government are at a deadlock. The Mexican Treaty has had no practical effect, and no consequence as an example, but they have signed revised Conventions of a less advanced kind, not quite identical in terms, with the United States, Germany, and Russia, of which they have been obliged to defer the ratification indefinitely; they have offered new conditions to the Powers subsequently to the signing of the Treaties; and they have received very liberal proposals from Great Britain, upon which, although gratefully entertained at first, they have not found means to negotiate. The United States' Government has set aside the American Convention as not satisfactory. The Russian Government, I have understood from my Russian colleague, is, or was, inclined to accept the proposals offered by Great Britain in place of the Russian Convention of 1889; the German Government, on the contrary, insists upon the establishment of its own Convention.

I have, &c.
(Signed) HUGH FRASER.

No. 25.

Mr. Fraser to the Marquis of Salisbury.—(Received November 19.)

My Lord,

Tókió, October 16, 1891.

I WENT to the Foreign Department yesterday to pay my respects to Viscount Enomotto for the first time since the summer recess.

After a short conversation on indifferent matters, the Minister for Foreign Affairs spoke about Treaty revision. He said he had already laid before his colleagues in the Cabinet a Minute, proposing to take up the discussion of that question again at the point where Viscount Aoki had left it, and continue it on the lines of his predecessor's negotiation with myself.

I was glad of an opportunity to explain clearly to his Excellency the extent of the negotiation thus referred to. It had been merely personal, very slight, and without practical result. Viscount Aoki's colleagues in the Treaty Revision Commission, Count Goto and Count Saigo, had taken no part in it, and the whole had been so informal and incomplete that it had not even furnished matter for a report to your Lordship. I could not refrain from reminding him at the same time of the fact that, whereas Count Okuma had offered proposals to Her Majesty's Government in 1889, of which he desired the acceptance within a term that had almost expired when they were delivered in London, the Imperial Government had now allowed more than a year to elapse since the receipt of your Lordship's overture without making any positive movement to meet it.

Viscount Enomotto finally told me that he hoped to be able, within a short time, to make some communication as to the result of his own Minute now before the Cabinet.

I have, &c.
(Signed) HUGH FRASER.

No. 26.

Mr. Fraser to the Marquis of Salisbury,—(Received February 18.)

(Extract.)

Tôkiô, January 20, 1892.

AT the Imperial reception on the 1st of this month Viscount Enomotto told me that he hoped I should not leave Japan too soon, because, Parliament being dissolved, he hoped to be able to resume the Treaty revision negotiation.

This sort of overture has been made to me many times since your Lordship's proposals were offered to the Japanese Government in the summer of 1890, and never, hitherto, with any practical result. I was a little astonished, therefore, when, upon paying a formal visit to the Minister for Foreign Affairs on Monday last, his Excellency turned the conversation upon Treaty revision once more. The substance of what he had to say was very slight; it amounted to little more than what he had said at the Palace on New Year's Day and on a previous occasion, that he hoped to be ready to take up the negotiation immediately where Viscount Aoki had left it. The country desired that Treaty revision should be accomplished, and public opinion was peremptory as to the recovery of the Japanese autonomy, jurisdictional and commercial.

I rehearsed the whole history of the question once again, and stated that the feeling of Her Majesty's Government in regard to Treaty revision is merely that revision may be due to Japan in the circumstances, but the material interests of Great Britain are not thought likely to receive much advantage from its accomplishment. At the same time, I assured his Excellency of my own entire willingness to proceed at once with the negotiation on such lines as had been prescribed to me.

No. 27.

Mr. Fraser to the Marquis of Salisbury.—(Received May 26.)

My Lord,

Tôkiô, April 19, 1892.

I HAVE the honour to transmit herewith to your Lordship, in translation, a paragraph taken from the official Gazette of the 13th instant, to the effect that His Majesty the Emperor has appointed a Committee of seven Ministers and Privy Councillors to consider, once more, the long-pending question of Treaty revision with the assistance of the Prime Minister and others of his colleagues.

I have been unwilling to trouble your Lordship on this matter, or even to move at all in it, until either a clear offer to negotiate should be made to myself, or I had certain knowledge of some other positive action on the part of the Japanese Government; and what I have to say, even now, is not so definite as I could wish it to be.

I had the honour, on the 20th January last, to report to your Lordship a conversation, in the course of which I had explained to Viscount Enomotto, as clearly as I could, the relative positions of Great Britain and Japan in regard to Treaty revision. Since then, only a short while ago, his Excellency told me that the question was about to be seriously taken up, that it was not certain whether the Japanese Government would decide to negotiate in this country or to treat separately with the Powers concerned abroad, by special mission or otherwise, but that, as soon as their decision was taken, he would inform me privately of it. I begged him, in reply, to be careful not to take Her Majesty's Government by surprise.

I think it may be believed that the real nature of the question has begun to be a little better understood in Japan. One may gather now, from articles in the native newspapers, that men are gradually becoming persuaded that negotiation is hindered by personal jealousies among Japanese statesmen more than by foreign obstruction, and that if the Imperial Government wishes to succeed in negotiating, they must treat in the first instance with the Powers whose interests predominate.

I have, &c.

(Signed) HUGH FRASER.

Inclosure in No. 27.

Extract from the Official Gazette of April 13, 1892.

(Translation.)

APPOINTMENT OF A TREATY REVISION COMMITTEE.—His Majesty the Emperor was pleased to appoint at the Palace yesterday, the 12th instant, at 1 o'clock P.M., a Committee for personal inquiry into a draft for the revision of the Treaties, composed of the following members:—

Count Ito, President of the Privy Council.
 Viscount Enomotto, Minister for Foreign Affairs.
 Count Goto, Minister for Communications.
 Count Soyoshima, Minister for the Interior.
 Count Kuroda, Privy Councillor.
 Count Terashima, Privy Councillor.
 Mr. Inouye, Privy Councillor.

Count Matsugata, Minister President of State, and the other Ministers of State, have also been commanded by His Majesty the Emperor to assist in the inquiry.

No. 28.

Mr. Fraser to the Marquis of Salisbury.—(Received June 27.)

(Extract.)

Tôkiô, May 26, 1892.

I PAID a visit to the Department of Foreign Affairs a few days ago in order to inform Viscount Enomotto of my approaching journey to England on leave of absence.

His Excellency said that the Session of Parliament had no more than about a month to run, and that when that was over he hoped to be able to begin to negotiate with me on Treaty revision.

It seemed best to reply by suggesting a resumption of the negotiation in London, through Viscount Kawasé, rather than in Tôkiô, and by explaining that Mr. Gubbins, whose help I should like to have in such a matter, wished to go to England as well as myself, and could not fairly be detained after his ten years of continuous residence at his post.

No. 29.

Mr. Fraser to the Marquis of Salisbury.—(Received July 26.)

My Lord,

Tôkiô, June 25, 1892.

VISCOUNT ENOMOTTO, the Minister for Foreign Affairs, called upon me yesterday afternoon to take leave.

His Excellency could tell me very little in regard to political affairs. He said that he was extremely sorry to have so often suggested negotiation upon Treaty revision without being able eventually to undertake that task.

As regards Treaty revision, it does not seem certain at present whether the Codes will have their date postponed or the Bill of Parliament be vetoed. If they are deferred, there will be a reconstruction of the Cabinet, and the Minister for Foreign Affairs will probably resign. If, on the contrary, their original date should be maintained, it is possible that Treaty revision may be undertaken; but I think not immediately, for another reason, the mission of Mr. Kaneko Kentaro, Chief Secretary of the Upper House of Parliament, to Europe, by the next Canadian steamer, in order to attend a Conference on international law at Geneva in September next, where the question of a revision of the Japanese Treaties is expected to be discussed.

I have, &c.

(Signed) HUGH FRASER.

Mr. de Bunsen to the Marquis of Salisbury.—(Received August 1.)

My Lord,

Tôkiô; June 30, 1892.

I HAVE the honour to transmit copies of an English Report* of the proceedings of the Extraordinary Session of the Japanese Diet, which came to a close on the 14th instant, together with a careful translation by Mr. Hobart-Hampden of Viscount Enomotto's speech, showing how closely the prospects of Treaty revision are bound up, in the opinion of the Minister for Foreign Affairs, with the question of the postponement of the operation of the Civil and Commercial Codes.

As your Lordship is aware, the Bill for the postponement was carried in both Houses, notwithstanding the protests of the Government, and the fact that the Imperial assent has not even yet been given may be taken as showing that His Majesty's more intimate advisers are alive to the importance of the issue.

I have, &c.

(Signed) M. DE BUNSEN.

Inclosure in No. 30.

*Viscount Enomotto's Speech on the connection between the Codes and Consular Jurisdiction.
Delivered May 26 in the Upper House.*

(Translation.)

WHILE the question of the postponement of the Codes is under discussion, and before this debate closes, I desire to offer for your consideration my views upon one aspect of the question. It is one which has a most intimate connection with, and a most important bearing upon, Treaty revision. I have no doubt that the supporters of the postponement will agree with me when I say that public opinion is unanimously in favour of an immediate revision of the Treaties now in force as being unsuited to the present circumstances of Japan. I imagine that not a single voice would be heard in dissent. In considering the clauses in need of revision as a whole, our motto must be simply the protection of our ancient national rights and national interests, and for the accomplishment of this purpose there is one method, and one only, that of enacting and carrying into effect a Code of Laws fit to be accepted by the civilized nations of the world.

However eagerly all classes of Japanese may desire to possess a Treaty free from all imperfections and defects, it admits of no manner of doubt that until such a Code of Laws shall be in operation friendly countries will withhold their consent [to revision]. Those persons who descant upon the shortcomings of the present Treaties are in the habit of looking back to the time of their inception, and attributing their defects to the limited knowledge of foreign affairs possessed by the Minister of the day. But the Ministers of thirty years ago could not possibly be intimately acquainted with the circumstances of foreign countries, and even granting the necessary experience in exceptional instances, the Treaty Powers could not have been induced to subject the precious lives and property of their subjects to the laws of Japan, and that for the very good reason that there were at that time no laws fit to be enforced in a civilized society, to whose protection their lives and property could have been committed. I believe that until about ten years ago, to say nothing of a period dating back twenty or thirty years, it was a view generally acquiesced in that when foreign Powers took their stand upon that most objectionable provision of the present Treaties—Consular jurisdiction—their position was absolutely impregnable, and in proof of this statement I urged the fact that until the '80's no such idea as that of throwing open the country and bringing all foreigners under Japanese law had ever presented itself at the Treaty Revision Conferences. But in 1882 it occurred to Count Inouyé, then Minister for Foreign Affairs, that Consular jurisdiction, unassailable as it seemed, might yet, by a process of gradual change, be ultimately completely abolished. The outcome of his various schemes was the Preliminary Conference for the revision of the Treaties opened in 1882. Two years later, again, a draft scheme

* Not printed.

was presented, and in 1886 the actual Conference for the revision of the Treaties was opened, and discussion with the Plenipotentiaries of foreign Powers commenced. On this occasion the so-called Anglo-German project was put forward by the English and German Ministers in answer to our proposals, and being accepted by the Imperial Government as a basis for the negotiations, came up for discussion, but subsequently this draft also was declared in many respects effective, postponement was proposed, and the negotiation came to nothing.

The fate of the negotiations upon Count Okuma's scheme, which appeared in 1888, is known to you, and requires no word of explanation from me. Thus from 1882 to 1888 successive foreign Ministers—men reputed first-rate statesmen like Counts Inouyé and Okuma—had strenuously toiled at this work, and the proposals they put forward were, under the circumstances, fairly satisfactory. Great, indeed, their labours were, as one may well imagine, but that they did not see them crowned with success was due, as I have already stated, simply to the fact that no Codes adequate for civilized society had been completed, and consequently the Governments of the Treaty Powers would not lightly consent to the abolition of Consular jurisdiction.

Gentlemen, I appeal to you: is it not imperative that these Codes—our indispensable weapon of offence, so to speak, against these hated Consular Courts—should be duly carried into operation from the beginning of next year? At the present moment, when the whole nation is bent upon revising the Treaties, and the operation of the Codes is the *sine quâ non* for the attainment of that object, is it not the height of inconsistency to seek to have them postponed? It is not that I maintain that all the 2,826 sections of the Civil and Commercial Codes are absolutely without a flaw, and stand in need of amendment; let sections requiring revision be revised by all means. All that I contend is that the term of the operation of the Codes be not postponed, and to this one contention I adhere on the ground, as stated just now, of the intimate connection existing between the Codes and Treaty revision—a subject in which a far keener interest is felt throughout the whole Empire [than in the Codes].

Gentlemen, I have still one or two points which I desire to offer for your consideration. You will, no doubt, have heard of the "Institut de Loi Internationale," a Society established at the instance of jurists of Europe and America in 1873, and limited to 120 members. The twelfth subject laid before the Society, upon the investigation of which it is now engaged, is the "Necessary alterations to be effected in the constitution of Consular Courts in the East where both parties to a suit are subjects of Christian countries," and a Committee composed of Delegates representing various countries has been elected to report upon the subject. You are aware that Turkey, China, Persia, and Siam are countries possessing no Codes suitable for acceptance by the civilized nations of the world, and consequently there is no prospect of Consular jurisdiction being abolished there, so that this proposal of amending the constitution of Consular Courts is limited in its scope to cases where differences arise between suitors of European or American nationality resident in those countries. To allude to another and different subject, the Society has asked to be furnished with copies of our Codes in order that the present Treaties of Japan and such portions of the five great Codes, namely, the Civil, Commercial, and Criminal Codes, and the Codes of Criminal and Civil Procedure, as are actually in operation or have been promulgated, may be submitted to an investigation. The member of the Committee representing Japan, an eminent English international jurist, having on the plea of old age resigned his position on the Committee, it was decided last year to elect a Japanese as a member, and the choice fell upon the Chief Secretary of this House, Mr. Kaneko Kentaro, a selection which is an honour at once to the gentleman himself and to Japan. The Society holds a meeting in Switzerland in October next, and one of the subjects in connection with which a Report will be furnished to the Society, and the Society's decision made public to the world, is the "Adequacy of the Japanese Codes for protecting the lives and property of Europeans and Americans in the event of Consular jurisdiction, now secured under the Treaties, being abolished." A Report of this kind cannot of course be taken to represent the views of the various Governments, but it will undoubtedly have some influence upon public opinion in Europe and America. But if at the moment when Mr. Kaneko is about to attend this meeting with these precious Codes, a number of persons in Japan arguing against their enforcement should stay their operations for a period of four years, with no possibility, moreover, of fixing four years with any certainty as an absolute term, will not the realization of our hopes for the abolition of Consular jurisdiction be rendered problematical? This is a suicidal policy indeed. Mr. Kaneko's case will resemble that

of a man who should set out to make purchases with money no longer current. I ask you particularly to give your careful consideration to this point.

There is one other subject to which I wish to allude. Some days ago, at a private conversation held by certain foreign Representatives, the substance of which has indirectly come to my ears, the rumour of the contemplated introduction in the Diet of a Bill for postponing the operation of the Codes was alluded to, and it was suggested that should the Bill be carried they would be spared the trouble of proceeding with Treaty revision negotiations, and that from the retrogressive tendency that had now taken the place of the progressive principles acted upon of late years in Japan, it was possible to foresee the ultimate fate of the Codes. This rumour is most disquieting, and it is no idle fabrication, and I have therefore brought it to your notice. In conclusion, I would say that in the speech I have just delivered I have not dealt with the merits of the Codes, but have merely drawn attention to the effect which their enforcement or postponement will have upon this country's foreign policy; but I hope you will not so far misunderstand me as to suppose that I only acknowledge the indispensability of the Codes by reason of their effect upon foreigners. It is obvious that their existence is of prime importance to ourselves also, while they serve the [additional] purpose of bringing foreigners into subjection to our laws.

No. 31.

Mr. de Bunsen to the Marquis of Salisbury.—(Received September 28.)

(Extract.)

Tókió, August 10, 1892.

I HAVE the honour to report the resignation of Count Matsukata, the Japanese Minister-President, together with several other Cabinet Ministers.

A new Cabinet has now taken office under the Presidency of Count Ito, composed as follows:—

Minister-President, Count Ito.
 Minister of the Interior, Count Inouyé.
 Minister of Foreign Affairs, Mr. Mutsu Munemitsu.
 Minister of Finance, Mr. Watanabe Kunitake.
 Minister of Justice, Count Yamagata.
 Minister of War, Count Oyama.
 Minister of Marine, Viscount Nire.
 Minister of Education, Mr. Kono.
 Minister of Communications, Count Kuroda.
 Minister of Agriculture and Commerce, Count Goto.

Of the late Cabinet, only Count Goto and Mr. Kono continue to hold office. It was expected that Viscount Enomotto would remain at the Foreign Office. The late Minister for Foreign Affairs has always insisted on the close connection of this question with the prospects of Treaty revision, which, he held, must be necessarily preceded by the adoption of a complete set of Codes on Western models. He took his stand, therefore, on the retention of the date originally fixed for the initiation of the two Codes as yet in abeyance, namely, the 1st January, 1893. Counts Ito, Inouyé, and Yamagata, on the other hand, advocate their postponement for further revision and correction, in accordance with the recent vote of the Japanese Chambers.

Viscount Enomotto has accordingly retired from the Privy Council, of which Count Oki, not long since Minister of Justice, has become the new President.

The new Minister of Foreign Affairs, Mr. Mutsu, was a member of Count Yamagata's Administration, and formerly Japanese Minister at Washington.

No. 32.

Mr. de Bunsen to the Earl of Rosebery.—(Received December 30.)

My Lord,

Tókió, November 24, 1892.

SINCE their accession to office last August the members of this Government have been singularly reticent as to their intentions in regard to the more important questions of Japanese politics.

An indication of Count Ito's deference to the wishes of the Parliamentary majority is to be found in the Imperial Decree published a few days ago, and of which I have the honour to inclose a translation herewith, sanctioning the Law passed at the end of last Session for postponing the operation of the new Civil and Commercial Codes till the 31st December, 1896.

This question was one of the rocks upon which the late Government split. They had steadfastly opposed the Bill, and Viscount Enomotto had declared in plain language to the Lower House that a postponement of the Codes meant a postponement of Treaty revision. The Government were defeated, and resigned on this and other questions. Count Ito, the new Premier, was understood from the first to favour postponement, not so much from conviction as from a sense of the obligation incumbent upon him, as author of the Japanese Constitution, to meet, as far as possible, the wishes of the Parliamentary majority. On the other hand, the authors of the Codes and the advocates of a policy of independence of Parliamentary control were not idle. For over three months the fight was kept up, and it is only now that the triumph of the Parliamentary party has been secured.

Your Lordship will observe that the Law in question provides that portions of the Codes, the revision of which has been completed, may be carried into operation before the date fixed for their entire promulgation.

It is believed that a "Revision Bureau" will be shortly appointed to prepare some of the more important Sections for promulgation under this provision.

I have, &c.

(Signed) M. DE BUNSEN.

 Inclosure in No. 32.
Extract from the Official Gazette of November 24, 1892.

(Translation.)

WE hereby sanction the Law for postponing the operation of the Civil and Commercial Codes approved by the Imperial Diet, and order the promulgation of the same.

(His Imperial Majesty's Sign-Manual.)

November 22, 1892.

(Great Seal.)

(Countersigned)

The Ministers of State.

 Law No. 8.

The operation of the following Laws is postponed until the 31st December, 1896, with a view to their revision: No. 28 of March 1890, sections of the Civil Code relating to property, succession to property, debt and security, and evidence; No. 32 of March 1890, Commercial Code; No. 59 of August 1890, Regulations relating to the operation of the Commercial Code; No. 97 of October 1890, Regulations relating to laws; No. 98 of October 1890, sections of the Civil Code relating to succession to property and status.

Provided that portions of the Codes, the revision of which has been completed, may be carried into operation even before the date herein specified.

No. 33.

Mr. de Bunsen to the Earl of Rosebery.—(Received August 18.)

(Telegraphic.)

Tókió, August 18, 1893.

TREATY revision.

The Japanese Minister for Foreign Affairs informed me to-day that he has instructed Viscount Aoki, Japanese Minister at Berlin, by a despatch sent off by the Canadian mail of the 4th August, to go to London in order to discuss with Mr. Fraser the bases of a negotiation for Treaty revision, which he hopes will be opened in London or elsewhere (on the lines agreed on between them, subject to the approval of their respective Governments) not later than November next.

Mr. Mutsu is anxious to know if he can count on Mr. Fraser being in London at any rate for the preliminary conferences with Viscount Aoki.

His Excellency informed the Japanese Minister in London by the same mail of the 4th August.

No. 34.

Mr. de Bunsen to the Earl of Rosebery.—(Received September 14.)

My Lord,

Tókió, August 18, 1893.

AS I had the honour to inform your Lordship by my telegram of this day, Mr. Mutsu, Minister for Foreign Affairs, had the goodness to communicate to me this morning his desire to prepare the ground for a renewal of the Treaty revision negotiations by means of a conference between Viscount Aoki, Japanese Minister at Berlin, and Mr. Fraser.

Viscount Aoki, his Excellency informed me, would receive early in September the written instructions sent him by the Canadian mail of the 4th August, after full deliberation in the Japanese Cabinet. By these instructions he was directed to proceed to London, with a view to a discussion with Mr. Fraser of the present aspect of the question. Mr. Mutsu hoped that such a discussion would lead to the opening of a formal negotiation not later than November (when the sessions of the Japanese Parliament will be resumed), at the place and upon the basis to be determined between them, subject to the approval of their respective Governments.

Mr. Mutsu asked me to state to your Lordship that he hoped he might count on Mr. Fraser's presence in London at the time of Viscount Aoki's visit, which would certainly fall within the month of September.

A successful result depended, in Mr. Mutsu's opinion, to an equal degree on Mr. Fraser's continuance in England for the purpose of these preliminary conferences, and even, if necessary, for the ensuing negotiation, if it should be held in London. Mr. Fraser had conducted the last negotiations with Viscount Aoki; they thoroughly understood each other, and would both be doubtless animated with a sincere desire to assist in bringing this protracted question to an issue.

I have, &c.

:(Signed) M. DE BUNSEN.

No. 35.

Mr. de Bunsen to the Earl of Rosebery.—(Received December 7.)

(Telegraphic.)

Tókió, December 7, 1893.

IN a note, copy of which I am forwarding to your Lordship by to-morrow's mail, the Minister for Foreign Affairs expresses the desire of reopening the question of Treaty revision with England, and requests that the negotiations may be transferred to London should Her Majesty's Government concur. Mr. Mutsu has asked me to telegraph this to your Lordship, stating that should the appointment of the new Japanese Minister be acceptable to Her Majesty's Government, he hopes negotiations

may begin upon his arrival, without waiting for his full powers and credentials, which will follow by mail.

No. 36.

*Draft Treaty of Commerce and Navigation and Draft of Protocol with Tariff,
communicated by Viscount Aoki, December 27, 1893.*

Draft Treaty of Commerce and Navigation.

HIS Majesty the Emperor of Japan and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan,

And Her Majesty the Queen of the United Kingdom of Great Britain and Ireland,
Empress of India,

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights ; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

In whatever relates to rights of residence and travel ; to the possession of goods and effects of any kind ; to the succession to personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured nation. The subjects of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the Laws, Ordinances, and Regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation.

The subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the dominions of the two High Contracting Parties.

The subjects of each of the Contracting Parties may trade in any part of the dominions of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly or in partnerships, with foreigners or native subjects; and they may there own or hire and occupy houses and warehouses, and lease land for residential and commercial purposes, conforming themselves to the Laws, Police, and Customs Regulations of the country like native subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers, in the territories of the other, which are or may be opened to foreign commerce, and shall enjoy respectively, the same treatment in matters of commerce and navigation as native subjects, without having to pay taxes, imposts, or duties, of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, other or greater than those paid by native subjects.

It is, however, understood that the stipulations contained in this and the preceding Article do not in any way affect the special Laws, Ordinances, or Regulations with regard to trade, police, and public security in force in each of the two countries, and applicable to all foreigners in general.

ARTICLE III.

The dwellings, warehouses, and shops of the subjects of each of the High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the Laws, Ordinances, and Regulations for subjects of the country.

ARTICLE IV.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of Her Britannic Majesty from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the High Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

ARTICLE V.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be

imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country.

ARTICLE VI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE VII.

All articles which are or may be legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed in the dominions or possessions of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese or British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

ARTICLE VIII.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination levied in the name, or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE IX.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the Laws, Ordinances, and Regulations of Japan and of Great Britain respectively. It is, however, understood that Japanese subjects in the dominions and possessions of Her Britannic Majesty and British subjects in the dominions and possessions of His Majesty the Emperor of Japan shall enjoy in this respect the rights which are or may be granted under, such Laws Ordinances, and Regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Britannic Majesty, and a British vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted for the purpose of landing the remainder of her original cargo there, subject always to the Laws and Custom-house Regulations of the countries.

ARTICLE XI.

Any ship of war or merchant-vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the district of the occurrence, or, if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of Her Britannic Majesty shall take place in accordance with the Laws, Ordinances, and Regulations of Great Britain, and, reciprocally, all measures of salvage relative to British vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the Laws, Ordinances, and Regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

ARTICLE XII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to British law, are to be deemed British vessels, shall, for the purposes of this Treaty, be deemed Japanese and British vessels respectively.

ARTICLE XIII.

If any seamen should desert from any merchant-ship belonging to either of the High Contracting Parties within the territory of the other, the local authorities shall be bound to give every assistance in their power for the apprehension and handing over of such

deserter, on application to that effect being made to them by the Consul of the country to which the vessel or ship of the deserter may belong, or by the deputy or representative of the Consul.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place.

ARTICLE XIV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour, or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, subjects, or citizens of any other State, shall be extended immediately and unconditionally to the Government or subjects of the other Contracting Party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE XV.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are or may hereafter be granted to Consular officers of the most favoured nation.

ARTICLE XVI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE XVII.

The stipulations of the present Treaty shall be applicable, so far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's Representative at Tôkiô within two years from the date of the exchange of ratifications of the present Treaty.

ARTICLE XVIII.

The present Treaty shall, from the date it comes into force, be substituted in place of the Conventions respectively of the 23rd day of the 8th month of the 7th year of

Kayei, corresponding to the 14th day of October, 1854, and of the 13th day of the 5th month of the 2nd year of Keiou, corresponding to the 25th day of June, 1866, the Treaty of the 18th day of the 7th month of the 5th year of Ansei, corresponding to the 26th day of August, 1858, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Conventions, Treaty, Arrangements, and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by British Courts in Japan, and all the exceptional privileges, exemptions, and immunities then enjoyed by British subjects as a part of or appurtenant to such jurisdiction shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

ARTICLE XIX.

The present Treaty shall not take effect until at least five years after its signature. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to Her Britannic Majesty's Government of its wish to have the same brought into operation. Such notice may be given at any time after the expiration of four years from the date hereof. The Treaty shall remain in force for the period of seven years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after six years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

ARTICLE XX.

The present Treaty shall be ratified by the High Contracting Parties, and the ratifications thereof shall be exchanged at Tòkiô within six months.

In witness whereof, &c.

Done at, &c.

Draft Protocol.

The Government of His Majesty the Emperor of Japan and the Government of Her Majesty the Queen of Great Britain and Ireland and Empress of India, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations:—

1. It is agreed by the Contracting Parties that, one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the import Tariff hereto annexed shall, subject to the provisions of Article XXIII of the Treaty of 1853 at present subsisting between the Contracting Parties, as long as said Treaty remains in force and thereafter, subject to the provisions of Article IV of the Treaty signed this day, be applicable to the articles therein enumerated, being the growth, produce, or manufacture of the dominions and possessions of Her Britannic Majesty, upon importation into Japan. But nothing contained in this Protocol, or the Tariff hereunto annexed, shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food, or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs, or any other indecent or obscene articles; articles in violation of patent, trade-mark, or copyright laws of Japan; or any other article which for sanitary reasons, or in view of public security or morals, might offer any danger.

The Japanese Government reserves to itself the right to convert, from time to time, so far as it may deem it advisable to do so, either before or after the said Tariff goes into operation, the *ad valorem* rates specified in the said Tariff, into equivalent specific rates of duty. Provided that no such conversion shall take effect until at least six months after it shall have been published.

The Japanese Government also reserves to itself the right to make biennial revisions of the specific rates of duty so converted. Every such revision shall be based upon the difference in the average rate of foreign exchange for the three calendar months imme-

diately preceding the first conversion of any such rate of duty, and the three calendar months immediately preceding any such revision. But no such revision shall take effect until at least six months after it shall have been published.

In respect of articles not enumerated in said Tariff, the General Statutory Tariff of Japan for the time being in force shall, from the same time, apply, subject, as aforesaid, to the provisions of Article XXIII of the Treaty of 1858 and Article IV of the Treaty signed this day respectively.

From the date the Tariffs aforesaid take effect, the import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by British subjects shall cease to be binding.

2. Her Britannic Majesty's Government gives its consent to the complete incorporation from the date the Treaty of Commerce and Navigation, signed this day, comes into force, of the several foreign Settlements with the respective Japanese communes. When such incorporation is effected, such Settlements shall form integral portions of the municipal system of Japan; the competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the municipal funds and property belonging to such Settlements shall, at the same time, be transferred to the said Japanese authorities.

3. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when said Treaty is ratified the Agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is also agreed that this Protocol shall terminate at the same time said Treaty ceases to be binding.

In witness, &c.

Done at, &c.

Draft of Diplomatic Note.

Japanese Legation, London, , 1893.

The Undersigned His Imperial Japanese Majesty's Envoy Extraordinary and Minister Plenipotentiary, in virtue of special authorization from His Imperial Japanese Majesty's Government, has the honour to announce to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs that the Imperial Japanese Government, recognizing the advantage of having the Codes of the Empire which have already been promulgated in actual operation when the Treaty stipulations at present subsisting between the Government of Japan and that of Great Britain cease to be binding, engage not to give the notice provided for by the first paragraph of Article XIX of the Treaty of Commerce and Navigation, signed this day, until those portions of said Codes which are now in abeyance are brought into actual force.

The Undersigned, &c.

TARIFF annexed to the Protocol concluded between Japan and Great Britain on the
day of the month of the year of Meiji.

Articles.	<i>Ad valorem</i> Rates of Duty.
	Per cent.
Canvas and cotton ducks	10
Cement, Portland	5
Cotton—	
Thread for sewing purposes	10
Chintzes or furnitures	10
Damasks and satins	10
Drills	10
Shirtings—	
Grey	10
White and bleached	10
Twilled	10
T-cloths	10
Turkey-reds and dyed shirtings	10
Velvets or velvetens	10
Victoria lawns	10
Glass, window, ordinary—	
(a.) Uncoloured and unstained	8
(b.) Coloured, stained, or ground	10
Indigo, dry	10
Iron—	
Pig and ingot	5
Rails	5
Bar, rod, plate, and sheet	7½
Galvanized sheet	10
Pipes and tubes	10
Lead, pig, ingot, and slab	5
Leather—	
Sole	15
Other kinds	10
Mercury or quicksilver	5
Milk, condensed or dessicated	5
Nails, iron	10
Oil, paraffin	10
Paint, in oil	10
Paper, printing	10
Saltpetre	5
Screws, bolts, and nuts, iron	10
Silk satins and silk and cotton mixtures	15
Steel, ingot, pig, and slab	5
Tin—	
Block, pig, and slab	5
Plates	10
Wax, paraffin	5
Wire—	
Telegraph	5
Iron and steel, and small rod iron and steel not exceeding ¼ inch in diameter	10
Woollen—	
Blankets	10
Flannels, wholly or in part of wool	10
Italian cloths	10
Serges, wholly or in part of wool	10
Cloths, wholly or in part of wool	10
Yarn and thread of cotton, flax, hemp, jute, or wool, for weaving purposes	8
Zinc—	
Block, pig, and slab	5
Sheet	7½

Rule for calculating ad valorem Duties and for converting ad valorem into Specific Rates of Duty.

Import duties payable *ad valorem* under this Tariff shall be calculated on the actual cost of the articles at the place of purchase, production, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication, to the port of discharge, as well as commission, if any exists.

The foregoing rule shall also be taken as the basis of calculation in converting any of the items in the above Tariff from *ad valorem* to specific rates of duty in pursuance of Section I of the Protocol to which said Tariff is annexed. Provided, however, that the actual cost of the articles in respect of which such conversion is made shall be taken to be the average declared values of the articles as shown by the Japanese Customs Returns for the three calendar years next preceding the conversion.

Memorandum by Viscount Aoki.

The present Tariff project is founded upon the conviction entertained by the Imperial Government that the moment has arrived when they may in justice claim some amelioration of the Tariff proposals which have hitherto served as the basis of negotiations. It seems to them that they may with propriety now ask at least a partial substitution of the guarantees afforded by the present legislative condition of the Empire, in place of Conventional Tariffs embracing all articles of import. They are, moreover, persuaded that with the disappearance of the principle of solidarity in negotiations, and the idea of identity in the Treaties to be concluded with all the Powers, has also disappeared the excuse for signing Conventional Tariffs embracing nearly 500 enumerated articles with Powers having little or no trade with Japan.

Accordingly, the Imperial Government would wish to limit their express Tariff engagements to those countries which have a sufficient import trade with Japan to justify such engagements, and they would also desire, at the same time, to restrict their Conventional Tariffs to those articles which on account of their nature or importance as articles of import are entitled to special consideration.

	Yen.
The total value of imports during 1892 from countries having Treaties with Japan, exclusive of China and Corea, was	54,897,813
Of which Great Britain, Germany, the United States, and France contributed	51,724,202
The balance of	3,173,111
was divided among the remaining twelve Treaty countries as follows:—	
	Yen.
Imports from four of the twelve countries	18,888
„ „ four other of the twelve countries	145,361
„ „ the remaining four countries	3,008,862
	3,173,111

It will be seen from the foregoing figures, which are taken from the Customs Returns for 1892, that more than nine-tenths of Japan's imports from Western Treaty countries and their possessions fall to Great Britain, Germany, the United States, and France, and in the same connection it is worthy of remark that the total imports from each of the other countries referred to fell below the sum of 1,000,000 yen during 1892.

Under these circumstances, the Imperial Government have felt fully sustained in confining their Tariff proposals to the four Powers named. It should, however, be pointed out that, from a practical standpoint, this new departure is of no importance, since, in virtue of the most-favoured-nation and parity clauses in the new Treaties, each and every item appearing in any of the Conventional Tariffs would be equally applicable to all the Powers with which such new Treaties may be concluded.

In selecting the articles of import to be included in the Conventional Tariffs, the Imperial Government were guided by considerations of a practical nature. In the first place, items falling below the annual import value of 50,000 yen, taking the average for the years 1890, 1891, and 1892, were excluded from the schedules. The remaining articles were then subjected to further curtailment by the elimination of those items which, on account of their nature, either do not deserve or do not require the protection of Conventional engagements.

Falling clearly and manifestly within the first category, that is, within the category of articles in respect of which Japan equally with other Powers should, in the matter of imports, enjoy perfect liberty of action, may be mentioned:—

Wines and liquors.
Tobacco.
Sugar.

The list of those articles, the annual importation of which has exceeded in value the standard named, but which have been excluded from the proposed Conventional Tariffs, upon the ground that the nature of articles would alone afford them sufficient protection against high rates of customs duties, includes the following items:—

1. Arms and munitions of war.
2. Railway carriages.
3. Locomotive engines.
4. Vessels.

5. Drugs, medicines, and chemicals.
6. Machinery.
7. Raw cotton, wool, hemp, flax, and jute.
8. Coal.
9. Tea-lead.

The first of the above items is imported for Governmental purposes. Items 2 and 3 are either imported for the Government, or for Corporations enjoying Governmental subventions. The importation of vessels is also encouraged by the State. Item 5 does not seem to lend itself to high imports. Excessive duties in respect of items 6 and 7 would tend to discourage Japanese manufacturing industries. The coal imported into Japan is virtually in transit, since it is almost entirely consumed by foreign-going foreign steamers. Item 9 is exclusively used in the packing of Japanese tea for export. For these reasons principally the Imperial Government have excluded the articles named from the proposed Conventional Tariffs.

It may be also mentioned that although the imports of oil-cake, packing-mats, hides, and beans, peas, and pulse, exceed in value the specified standard, they have, nevertheless, been omitted from the Conventional Tariffs, since they are introduced into Japan from countries which will not participate in such Tariffs.

On the other hand, cotton-ducks and tin-plates have been inserted in the projected Tariffs, although the value of those articles annually fall short of the standard named. In the case of cotton ducks, this departure from the rule was occasioned by the fact that, under the original Tariff project, cotton ducks were classed with canvass, and it may be found convenient, upon converting the *ad valorem* into specific rates of duty, to reunite the two items. The object of the present separation was to facilitate reference. The reason which influenced the decision in the matter of tin-plates may be found in the conviction based upon the present course of trade, that the increase in the value of tin-plates imported, as shown by the Customs Returns for 1891 and 1892, will, for the future, be fully maintained.

It is believed that the liberality of the proposals of the Imperial Government will be fully acknowledged, when it is pointed out that the items thus selected for incorporation in the Conventional Tariffs represented in value for 1892 the sum of 35,649,586 yen out of a total of imports of 81,728,581 yen.* In other words, they represented two-thirds of the aggregate imports from those countries which will be able to participate in the most-favoured-nation engagements.

Bearing in mind, on the one hand, the recognized fact that specific Tariffs, however complete when made, become obsolete, imperfect, and unequal, in the course of a few years, owing, among other things, to changing prices, and having in view, on the other, the difficulty in practice of applying a schedule of duties based solely upon the *ad valorem* principle, the Imperial Government were bound in presenting their new Tariff scheme, to devise some other means of adjusting the question. The plan which has commended itself to their judgment, and which in their opinion fully meets the requirements of the case, may be briefly summarized as follows.

To adopt in the proposed Conventional Tariffs *ad valorem* bases of duties only, and, at the same time, to accord to the Imperial Government the faculty of converting, at their option, as the situation might seem to demand, within certain defined limits, and upon certain specified data, such *ad valorem* bases into equivalent specific rates of duties.

With the same object in view, that is, with the object of preventing as far as possible a dislocation of the intended parity between the original *ad valorem* proposals and the actual specific rates in force, which might at any time be brought about by fluctuations in exchange, the Imperial Government also urge that they be clothed with the necessary power to make periodical revisions of the specific rates of duty, such revisions to be based upon actual variations in exchange for specified periods.

It being at the same time provided that changes in rates of duty occasioned by any such conversion or revision are only to take effect after reasonable notice has been published.

Finally, it is worthy of note that the adoption of the present Tariff project would necessitate the enactment by Japan of a General Statutory Tariff, and, it may be added, that the question has already received some attention at the hands of the Imperial Diet.

December 27, 1893.

* This no doubt includes imports from China, Korea, and non-Treaty countries.

No. 37.

Mr. de Bunsen to the Earl of Rosebery.—(Received January 9, 1894.)

My Lord,

Tōkiō, December 7, 1893.

I HAVE the honour to transmit to your Lordship herewith a translation (prepared in the Japanese Foreign Office) of a note in which the Minister for Foreign Affairs expresses the desire of the Japanese Government to reopen the question of Treaty revision with Her Majesty's Government, and requests their concurrence in changing the seat of the negotiation to London.

Mr. Mutsu called upon me personally yesterday afternoon to ask me to telegraph the substance of his note. He had reason to believe, from Viscount Aoki's telegraphic reports, that the informal discussions between the latter and Mr. Fraser had led to an agreement as to the basis upon which future negotiations should proceed. The time was come, therefore, in the opinion of the Japanese Government, to make a formal overture, and, as they were extremely desirous of taking up the thread of the negotiation without further delay, he trusted that, should Viscount Aoki's appointment as Japanese Minister prove acceptable, your Lordship would be willing to enter upon a discussion with him immediately upon his arrival in London, without waiting for his credentials and full powers to reach him by mail.

The instructions already given to Viscount Aoki would enable him to open the negotiation. Further instructions by telegraph and by mail would follow.

In compliance with Mr. Mutsu's request, I sent your Lordship a telegram to-day.

I have, &c.
(Signed) M. DE BUNSEN.

Inclosure in No. 37.

Mr. Mutsu to Mr. de Bunsen.

(Translation.)

Sir,

Department of Foreign Affairs, Tōkiō, December 6, 1893.

HIS Imperial Majesty's Government desire to again take up the question of the revision of their subsisting Treaties with Great Britain.

They are all the more anxious to resume negotiations at this time as it seems to them that the present moment is peculiarly opportune for bringing the work to a satisfactory conclusion. They are, however, fully persuaded that a change in the seat of negotiations would not only facilitate discussion, but it would contribute in no small degree to a successful issue of the undertaking, and I accordingly beg to request that Her Britannic Majesty's Government will give their consent to the transference of the depending negotiations to London.

It has seemed to me altogether proper that I should address Her Britannic Majesty's Government upon this subject through you rather than through His Imperial Majesty's Minister in London, since all negotiations have hitherto been carried on at this capital. The spirit of friendly accommodation uniformly manifested by Her Britannic Majesty's Government in connection with this long-pending question leaves no room to doubt but what they will, if possible, accede to the wishes of the Imperial Government in this particular.

Immediately upon the receipt of the reply of Her Britannic Majesty's Government the necessary authority and instructions will, if that reply fulfils the anticipations of the Imperial Government, be given to His Imperial Majesty's Representative in London.

I avail, &c.
(Signed) MUTSU MUNEMITSU.

No. 38.

Mr. Fraser to the Earl of Rosebery.—(Received February 27, 4.30 P.M.)

(Telegraphic.)

Tōkiō, February 27, 1894, 1.55 P.M.

JAPANESE Government are anxious for the early commencement of Treaty revision negotiations in London.

Mr. de Bunsen to the Earl of Rosebery.—(Received March 26.)

My Lord,

Tókió, February 14, 1894.

I MENTIONED in a previous despatch that a section of the Japanese House of Peers had made a representation to the Government criticizing the policy pursued by the latter in advising the dissolution of the Diet.

I have now the honour to transmit to your Lordship a translation from the "Japan Mail" of Count Ito's answer, which seems worthy, as a public declaration of the policy of the country, to be set side by side with Mr. Mutsu's speech in the Lower House on the eve of the dissolution.

The Minister President explains that dissolution was forced upon the Government in the first place by the persistent and indiscriminate rejection of Government measures. The Session was tumultuous and noisy, and the Chamber had acted from the first in disregard of the law by which its functions are defined. Passing over the prescribed formality of appointing the Standing Committees, they had opened their proceedings with an attack upon their President, followed up by a vaguely-worded and ill-considered Address to the Throne, for which they were obliged to apologize when it was returned to them with a request for explanations.

Undeterred by this lesson, and without as much as giving notice of their intention, they had voted a further Address to the Throne accusing the Government of "laxity of official discipline," and they had shown disrespect towards the Emperor by impatiently pressing for a reply.

The Budget had been framed by the Government in accordance with a carefully considered scheme of reduced establishments. The Budget Committee, and assuredly the Chamber, would have swept it away without an attempt at securing agreement with its authors.

The attitude assumed by the House with regard to foreign affairs was incompatible with the progressive policy of opening up the country, which the Government could not consent to abandon. The Government "was assiduously engaged in the recovery of the sovereign rights of the country by Treaty revision." No mere policy of vexation and annoyance in their dealings with foreigners could hasten the attainment of this end. Yet to such a petty policy as that the House had given its preference.

With a Chamber so devoid of all proper sense of responsibility no harmonious co-operation on the part of the Government was possible. Dissolution was the only remedy.

I have, &c.

(Signed) M. DE BUNSEN.

Inclosure in No. 39.

Extract from the "Japan Mail" of February 14, 1894.

COUNT ITO'S ANSWER TO THE OPPOSITION PEERS.—We publish the above communication addressed to the Cabinet by thirty-eight Members of the Upper House with reference to the dissolution of the Diet. The following answer has been given by the Minister President of State, Count Ito, and published on the 13th instant by the vernacular press:—

"To Prince Nijo Motohiro and thirty-seven other Members of the House of Peers.

"My Lords and Gentlemen,—I beg to acknowledge the receipt of the communication you did me and my colleagues the honour of addressing to us, in which you have been so good as to favour us with your opinions concerning the late dissolution of the House of Representatives. I desire to express my deep sense of gratitude for your extreme consideration in the matter. Unworthy as I am, I have been charged with the grave responsibility of exercising general control over the conduct of the administrative affairs of the State, and upon me devolves the duty of tendering advice to the Sovereign. But I have not assumed such heavy responsibility without some corresponding sense of confidence in myself.

"The general purport of your communication to us is to criticize the Government's conduct in advising the Emperor, towards the end of last year, to dissolve the House of

Representatives. I must, therefore, explain to you the reasons why I advised such dissolution.

"The proper carrying out of the Constitution depends upon the harmonious working of the different parts of the machinery of State. That is precisely what His Majesty was pleased to announce at the time of the promulgation of the Constitution, and it has been repeated in the Imperial Speeches at the openings of the successive Sessions of the Diet.

"That was made especially clear and definite by the Imperial Rescript of the 10th February last year.

"The Houses of the Diet and the Ministers of State are equally under obligation to duly observe the above precept. In obedience thereto, the Houses of the Diet and the Ministers of State are bound to confine themselves within the limits of their respective functions when considering matters of State. By doing so, notwithstanding occasional differences of opinion between them, they ought to find no difficulty in promoting, in concert, the progress of the country, in so far as relates to the more important affairs of State. Since accepting office I have diligently applied myself to the discharge of the grave responsibilities connected with the post I occupy, and I have been at particular pains never to take any precipitate course of action. I shall always be glad to have the opinion of the two Houses of the Diet on any subject, and hope thereby to acquire the means of supplying my own deficiencies. Therein lies, it is my conviction, the duty which the Constitution lays upon me. The House of Representatives, on the other hand, has been making it its principal business to oppose the important measures of the Government without taking the trouble to consider the advantages or disadvantages of such measures. For instance, the House of Representatives endeavoured to effect such reductions in the Budget as would have been difficult to carry out in practice, while on the question of national defence attempts were made to suspend measures of the most urgent importance. Noise and tumult characterized the proceedings in the House, which hardly gave ear to the explanations offered by the Ministers of State. In the fourth Session of the Diet the House of Representatives was fortunately able to discharge its Constitutional duties, thanks to the benevolent Rescript which His Enlightened Majesty was pleased to issue. In the fifth Session of the Diet, and even previous to its opening, the various political parties began to manifest a tendency to revile and injure each other, as they had done in the early part of the preceding Session. When the late Session had been duly opened, the House of Representatives, regardless of the law of the land, which fixes a certain definite period of time for the examination of the Budget in Committee, and notwithstanding the fact that Standing Committees must be elected immediately after the opening of the Session, at once proceeded to discuss a question regarding the propriety of the conduct of its President. The House, in connection with that matter, went to the length of abusing the power vested in it of presenting an Address to the Throne, and when asked by His Majesty for an explanation of its meaning, it had to apologize for the ignorance it had displayed.

"Can such conduct be considered appropriate to men qualified to take part in the management of national affairs?

"The maintenance of official discipline is, of course, a duty incumbent upon the Government. Had the House put questions or offered advice to the Government, at the same time plainly pointing out in a frank and disinterested manner the facts that formed the subject of complaint, the Government would have gladly met the House in a like spirit of frankness. But, in point of fact, the House of Representatives very suddenly voted an Address to the Throne on the subject, without having even given notice of the motion by placing it on the order of the day. The House appealed to the Imperial judgment in this manner, perhaps, because it had thought from the beginning that the Government was not worthy of being taken into its councils. A few days afterwards the House, not having yet received any intimation of the Imperial pleasure, passed a Resolution which, under the pretence of expediting the Government's decision, really pressed for an Imperial reply to the House's Address.

"How was it possible that with such a House harmonious co-operation could be maintained?

"In obedience to the Imperial Rescript of the 10th February of last year, my colleagues and I introduced reforms in the various branches of the Administration. With due regard to the requirements of the machinery of State, to the greater development of various useful undertakings, to the convenience of the people, and to the economic growth of the country, we devised a plan consistent with the actual condition of the country and the people; and, on the basis of that plan, reductions of a large

amount were effected in the ordinary expenses of administration, over and above the decrease in the Budget for the preceding year. The amount thus obtained was to be employed for meeting various urgent requirements of the State and of the people.

"In conformity with the official organization thus amended, and with other Imperial Ordinances, the Budget for the twenty-seventh fiscal year was compiled with due provision for all the various measures whose importance gave them a title to consideration.

"When this Budget was introduced by Imperial permission the Budget Committee in the House of Representatives, without taking the trouble to ascertain the general purpose of the Bill, adopted as a standard for the amendment of the Budget precisely the same general plan of reductions that had been drawn up in the preceding Session in connection with the Budget compiled before the above-mentioned administrative reforms had been carried out. The Ministers of State, on their part, gave full explanations at the meetings of the Budget Committee, so that the objects and motives of the Government might be duly appreciated by the members of the Committee. The latter, though they at first demanded explanations from the Ministers of State in person, did not extensively criticize or oppose the statements made by the Ministers, but contented themselves with obstinately adhering to the general scheme of reductions above alluded to and manifested no inclination to recede from their original attitude. As a result of their investigations, they proposed the abolition of the contribution of one-tenth of the salaries of officials—a proposition contrary to the Imperial Rescript of the 10th February, 1893—and recommended various unreasonable reductions. They even went so far as to propose cutting down appropriations for the construction of forts on the shores of various straits. Their pretext for recommending such reductions was that the reforms effected by the Government fell short of what had been indicated in the declarations of the Cabinet in the preceding Session. But the declarations I made to the Committee, which the House of Representatives had elected for the purpose of ascertaining the Government's views, were confined to the statement that efforts should be directed not to reducing official salaries, but to simplifying the organization of the various branches of the Administration, and to diminishing the number of officials. The determination of the official organization in accordance with the actual needs of the time is a matter for which the Government is solely responsible, and it is therefore a subject beyond the interference of any others.

"Should the suggestions of the Diet be of a nature to supply the incompleteness of my knowledge and to aid my judgment, I shall always be glad to accept them. But when the measures proposed by the Government are indiscriminately opposed on the vague plea that they are not indorsed by public opinion—no trouble being taken either to ascertain actual facts or to consider the reasons assigned for those measures, and not the least attention being paid to the requirements of the administrative machinery of the State—I have then to abandon all hope of harmonious co-operation with the Diet.

"It may be contended that, however true these observations may be so far as relates to the conduct of the Budget Committee, the House of Representatives itself had not yet pronounced any verdict on the subject. But the Budget Committee's opinions may practically be regarded as reflecting the views of the House by which it had been elected. Moreover, as you will no doubt remember, the opinions which were then publicly expressed on the subject by members of the different political parties were, if anything, more unreasonable than those advanced by the Committee. You state in your communication that 'the House of Representatives had changed its accustomed policy with regard to the reductions in the Budget, and manifested a tendency to consider the affairs of State in a spirit of sincerity and disinterestedness.' But on this point actual facts compel me to entertain an opinion at variance with your own.

"The progressive policy of opening the country must be carried out by the Government, in spite of all difficulties and dangers. It is, of course, necessary to strictly enforce such provisions of the existing Treaties as are essential to the assertion of the national rights; and when required, efforts must be put forth for the abolition and amendment of such provisions as may interfere with the exercise of the sovereign rights of the country. It must, however, be borne in mind that, the existing Treaties having been concluded previous to the Restoration, or immediately after it, their provisions in many cases are not responsive to the actual state of affairs of the present day. It is, consequently, not advantageous for the country to adhere too rigidly to the letter of those provisions. It would be the height of folly to seek to enforce them indiscriminately, without considering the practical consequences of such a course. In the conduct of its foreign policy, the Government is obliged to give due consideration to all

the different aspects of contemplated steps, so that propriety of action may always be secured. Care must also be taken not to endanger peace by wantonly originating causes of complications out of pure love of contention. Yet, while pursuing such a deliberate course, the Government has never once suffered any encroachment upon or derogation from the rights of the country save such as have been consequences of the Treaties now in force. But several parties in the House of Representatives combined together for the introduction of a representation, the purport of which was to charge the Government with having suffered the rights of the country to be injured; and on the pretext of securing strict enforcement of the Treaties, they concocted various projects for restraining the movements of foreigners, heedless of the fact that such measures were in conflict with the provisions of the present Treaties. Moreover, taking advantage of the ignorance under which some persons labour, as to the important bearings which the conduct of foreign affairs has upon national interests, they even tried to promote the aggrandizement of their parties by disseminating exaggerated opinions on the subject, thereby exciting the passions of the public.

"Such persons must be considered triflers with the grave and important interests of the Empire.

"The Government is assiduously engaged in the recovery of the sovereign rights of the country by the route of Treaty revision—a task which is regarded as forming part of the great work of the Restoration. Nothing daunted by repeated failures in the undertaking, the Government is determined, sooner or later, to attain the great aim kept in view by the country. This determination on its part being fixed and irrevocable, the Government does not find it necessary, in deference to political considerations, to use, nor has it ever used, inconsistent or equivocal language on this subject, either to the Japanese people or to foreign nations. The Government is convinced that Japan is not called upon permanently and indefinitely to sacrifice her rights by complying with the existing Treaties. The Government is at the same time opposed to that pettiness which exults in the subjection of people from distant realms to vexatiously conceived inconveniences and disadvantages. The object of the allied parties in the House of Representatives was to have the Government pursue the latter rather than the former course. That, in their blind adherence to erroneous ideas, they were wanting in the sincerity of mind essential to the calm and deliberate discussion of the country's important foreign affairs, was shown by their manner of listening to the speech which the Minister of State concerned addressed to them on the subject of our foreign policy.

"Thus, although I am convinced that the various measures brought in concerning strict enforcement of the Treaties were antagonistic to the true sentiments of the nation, it was, nevertheless, not difficult to foresee, from the attitude of the House, the verdict which a majority of the members were resolved to pronounce on the subject.

"It declared in the representation that the Government had permitted encroachments to be made upon the rights of the country, and in the explanatory document attached there were advanced various unfounded assertions which plainly indicated that the object of the introducers of the motion was to keep foreigners at arm's length.

"These things must of course have been noticed by you.

"I am pleased to believe that members of the Diet have the rights of the country so much at heart. But I cannot approve the conduct of those who, instead of deliberately and calmly striving to promote the progressive policy of opening the country, indulge in discussions which exclude the idea of a proper sense of responsibility.

"The facts thus far dwelt upon induced me to conclude that there was no hope of co-operating harmoniously with the late House of Representatives towards the furtherance of the national policy of the country.

"While, on the one hand, continuously increasing in the violence of its opposition to the Government, that House, on the other, had nothing to show for itself, unless, indeed, that it neglected its legitimate duties of legislation, and prevented the carrying out of measures highly beneficial to the country and to the people.

"The House even tried more than once to neglect its functions by proposing adjournment.

"The Government consequently decided to advise the dissolution of the House, and, as a preparatory step leading up to that measure, sought His Majesty's consent to prorogation.

"The period of prorogation had to be fixed, for it is so required by the law of the country. The dissolution was recommended to the Emperor on the following day,

because there was no necessity to wait for the expiration of the period of prorogation, and not because any change had taken place in the views of the Government. In other words, it was necessary that the Imperial orders should be issued in rapid succession, simply because the Constitution requires that the prorogation of the Diet, whether as a step preparatory to dissolution or otherwise, is to be announced through the exercise of the prerogative of the Emperor. Dissolution takes place by the exercise of the Imperial prerogative upon the responsible advice of the Ministers of State, and it is not therefore necessary that the measure should be decided upon in direct consequence of any particular questions.

"But if it be required to point out the reason why the present dissolution was advised, I do not hesitate to declare that the measure was recommended to the Emperor because the conviction had been forced upon me that there was no hope of furthering the grand policy of the Empire in harmonious co-operation with the late House of Representatives.

"Harmonious co-operation does not mean blind compliance with the wish of others, and I do not expect the House of Representatives to extend indiscriminate approval to measures introduced by the Government. If both the Government and the House consult together on the affairs of State gravely and soberly, and if each confines itself within the limits of its own legitimate functions, it will not be difficult to secure the proper working of the Constitution. Such, indeed, was the injunction contained in the Imperial Rescript of the 10th February, 1893, an injunction which it is the constant effort of myself and of my colleagues to obey. It is not my desire to controvert the opinions you have been so good as to address to us. But I have here frankly revealed my sincere opinions to you, in deference to the kind consideration you have displayed towards myself and my colleagues.

"I remain, &c.

(Signed) "ITO HIROBUMI.

"February 10, 1894."

No. 40.

Mr. de Bunsen to the Earl of Rosebery.—(Received March 26.)

My Lord,

Tōkiō, February 14, 1894.

MR. MUTSU complained to me a day or two ago of the tone of certain British newspapers at Yokohama, by which the prevailing anti-foreign feeling in this country has been grossly exaggerated of late, in a manner to cause it to be believed that the position of foreigners in the capital is seriously menaced. The London press, his Excellency said, had reflected this view, and he thought it unfortunate that public opinion should be thus misled at a time when a new negotiation is hanging in the balance.

I assured Mr. Mutsu that your Lordship would not be influenced by reports coming from such a quarter.

In Mr. Mutsu's opinion, a new Treaty would remove at once one-half of the unpopularity of the foreigner. His Excellency is most anxious to bring about this result, and he trusts your Lordship will see nothing in the struggle between the Executive and the Chamber to delay the renewal of formal negotiations.

His Excellency repeated his conviction that no Treaty negotiation could be satisfactory from which England stood aloof. He fixed his hopes, therefore, upon your Lordship; and it would be, he said, a great blow to his policy if he should be compelled, by meeting with discouragement in London, to turn to other Powers, or to resort to other means of asserting what Japan believes to be her rights.

Perhaps there may be some connection between this last remark of Mr. Mutsu's and a recent article in the Government organ, the "Nichi Nichi Shimbun," in which repudiation of the Treaties is spoken of as the ultimate resource of Japan in case her overtures be rejected. Your Lordship will also perceive that Count Ito, Minister President, has placed on record, in his answer to the Peers' representation, inclosed in my preceding despatch, the conviction of the Government, that "Japan is not called upon permanently and indefinitely to sacrifice her rights by complying with the existing Treaties."

I have, &c.,

(Signed)

M. DE BUNSEN.

The Earl of Kimberley to Mr. Fraser.

Sir,

Foreign Office, March 28, 1894.

THE Japanese Minister inquired of me to-day whether I had considered the project of Treaty revision with Japan.

I said I had done so, and I would make a few observations upon it.

In the first place, it struck me that the Japanese Government asked for very large concessions, and proposed to give us but little in return.

I thought that when Her Majesty's Government was asked to make so great a change as the abandonment altogether of our right of Consular jurisdiction, they ought to be met in a more generous spirit.

I mentioned as specially objectionable to Her Majesty's Government the stipulations as to the duration of the Treaty in Article XIX of the project.

I also referred to the refusal to open the country to trade, to accord the right to possess land, and to the last paragraph in Article II, which it appeared to me, by enabling the Japanese to make special laws, &c., affecting foreigners, might be used to set aside the provisions of the Treaty.

On the whole, however, I thought the project afforded a basis for negotiation, and as the Japanese Government had recently shown its determination to protect foreigners, I was willing that the negotiation should be proceeded with.

Viscount Aoki replied that the existence of Consular jurisdiction was so obnoxious to the Japanese that it rendered it very difficult for his Government to treat foreigners more favourably; when once that jurisdiction had been removed, the prejudices against foreigners would gradually diminish, and it would become much easier to adopt such measures as Her Majesty's Government desired.

Viscount Aoki expressed his satisfaction at the willingness of Her Majesty's Government to negotiate.

I am, &c.

(Signed) KIMBERLEY.

No. 42.

Memorandum of Interview held at the Foreign Office on Monday, the 2nd April, between Mr. F. L. Bertie, Mr. Gubbins, Viscount Aoki (the Japanese Minister), and Baron von Siebold.

MR. BERTIE opened the discussion by referring to a conversation which Mr. de Bunsen, Her Majesty's Chargé d'Affaires in Tôkiô, had reported as having passed between himself and his Excellency Mr. Mutsu, the Japanese Minister for Foreign Affairs, on the subject of Treaty revision, early in February last; to articles which had appeared in an influential Japanese newspaper, the "*Nichi Nichi Shimbun*;" and to the answer recently given by Count Ito to a representation made to the Japanese Government by certain members of the House of Peers on the same subject. Both in Mr. Mutsu's remarks to Mr. de Bunsen, and in the more public utterance of Count Ito, reference had been made to the eventuality of a repudiation by Japan of her existing Treaty engagements. It was desirable to point out that Her Majesty's Government had always refused to admit that Treaties solemnly concluded between two Powers, and containing no express provision for their denunciation by either party, could be terminated at the pleasure of one of the parties without the consent of the other. If the Japanese Government wished to approach the question of Treaty revision in a conciliatory spirit, Her Majesty's Government were prepared to meet them, but no proposals supported by anything in the shape of a menace of denunciation could possibly be entertained. Mr. Bertie drew Viscount Aoki's attention to the result of the denunciation in 1870 by Russia of certain clauses of the Treaty of Paris of 1856, and quoted the following extracts from Protocol No. 1 of the Conference for the partial revision of the Treaty in question, which held its first sitting in London on the 17th January, 1871:—

"La Conférence a été acceptée par toutes les Puissances co-Signataires du Traité de 1856, dans le but d'examiner sans aucun parti pris, et de discuter avec une parfaite liberté, les propositions que la Russie désire nous faire par rapport à la revision qu'elle demande des stipulations du dit Traité quant à la neutralisation de la Mer Noire.

"Cette unanimité fournit une preuve éclatante que les Puissances reconnaissent que c'est un principe essentiel du droit des gens qu'aucune d'elles ne peut se délier des engagements d'un Traité, ni en modifier les stipulations, qu'à la suite de l'assentiment des Parties Contractantes au moyen d'une entente amicale.

"Ce principe important me paraît recevoir une adhésion générale, et j'ai l'honneur de vous proposer, MM. les Plénipotentiaires, de signer un Protocole *ad hoc*."

* * * * *

"Les Plénipotentiaires de l'Allemagne du Nord, de l'Autriche-Hongrie, de la Grande-Bretagne, de l'Italie, de la Russie, et de la Turquie, réunis aujourd'hui en Conférence, reconnaissent que c'est un principe essentiel du droit des gens qu'aucune Puissance ne peut se délier des engagements d'un Traité, ni en modifier les stipulations, qu'à la suite de l'assentiment des Parties Contractantes, au moyen d'une entente amicale."

En foi de quoi, les dits Plénipotentiaires ont signé le présent Protocole."

Viscount Aoki said that he had no instructions from his Government in regard to the point raised by Mr. Bertie. He was of opinion, however, that Mr. Mutsu, in speaking as he was reported to have done to Mr. de Bunsen, referred simply to views respecting denunciation held in certain circles in Japan. As to Count Ito's statement, the Japanese Prime Minister had, he was sure, not meant to convey the idea that his Government were contemplating the denunciation of the Treaties; his intention was only to emphasize the importance of arriving at a speedy settlement of the question of Treaty revision.

In reply to a further remark of Mr. Bertie, that of course the statements to which he had referred derived their chief importance from the fact that they were made by statesmen holding such high positions in the Japanese Government, Viscount Aoki said that the English text of Count Ito's statement was not an authorized official translation, and might therefore possibly contain inaccuracies; and that the "*Nichi Nichi Shimbun*" was not the official organ of the Japanese Government, although certain writers on its staff were ex-officials.

Turning to the draft Treaty presented by Viscount Aoki, Mr. Bertie then pointed out that Article I of Lord Salisbury's draft Treaty of 1890, which contained the express stipulation that all rights and privileges not specially abrogated in the new Treaty then proposed should be maintained, did not appear in the new draft. Her Majesty's Government desired the insertion of some stipulation to this effect.

With regard to the contemplated abolition of extra-territoriality, Mr. Bertie observed that it was a very serious matter for Her Majesty's Government to agree to the surrender of Consular jurisdiction without knowing the nature of the judicial system to which British subjects would be subjected. Japan had objected during previous negotiations to submit her Codes to Treaty Powers *ad approbandum*, and on this condition Her Majesty's Government had no desire to insist. But they considered they were entitled to ask for full information as to the laws which would be enforceable upon British subjects on the cessation of Consular jurisdiction.

This question was discussed at some length, and it was eventually agreed that Viscount Aoki should furnish a statement* on this subject, showing the progress of Japanese legislation in civil, criminal, and commercial law, and the stages of codification, promulgation, and final revision which these laws had severally reached.

In the course of this discussion, Mr. Bertie took occasion to dwell upon the opposition to the cessation of Consular jurisdiction which might be expected from the British community in Japan, who would naturally ask their Government what Japan was prepared to give in return for the numerous and important concessions sought from Great Britain. Viscount Aoki suggested that to a certain extent—in so far, namely, as the Japanese law of status was concerned—this opposition might be met by the conclusion of a Consular Convention; to which Mr. Bertie replied that both a Consular Convention† and an Extradition Treaty would become necessary in the event of a successful issue to pending negotiations.

Mr. Bertie then pointed out that each successive stage of the long negotiations which had passed on the subject of Treaty revision had been marked by the fact that Japan on each occasion asked for more and offered less. The question of the ownership of land in Japan was a case in point. Why was the right to own real estate which had been conceded on previous occasions now withdrawn?

Viscount Aoki said he must admit the justice of the remark, and he himself had in

* This statement is attached to the Memorandum.

† No Consular Convention possible; the questions regulated by other nations by Consular Conventions are dealt with, in the case of Great Britain, under Consular Officers Article; this misunderstanding was corrected at meeting of the 7th May.

the negotiations which he had personally conducted in Tôkiô laid himself open to this charge. He could only say that Japan had perhaps been encouraged in her demands by the generous disposition evinced by Great Britain. With respect to the particular point referred to—the ownership by foreigners of real estate—he had already given explanations to Mr. Fraser in a recent Memorandum. His Government were of opinion that this was a question which should not be regulated by Treaty, but should be reserved for treatment by autonomic legislation. The draft Treaty, moreover, contained ample provisions for the tenure of land under lease, and of house property. He himself, he added, and many of his official friends, were in favour of granting to foreigners the right to own real estate, but public opinion was not on their side. He felt confident that after Treaty revision had been settled a more liberal feeling would set in, and that before very long all objections to the ownership by aliens of real estate would disappear.

Mr. Bertie said it was important to distinguish this question from the kindred question of the ownership of real property in the foreign Settlements, which stood on a different footing. In regard to the latter point, Her Majesty's Government considered that some effectual guarantee should be given against the disturbance of existing rights.

After some discussion, Viscount Aoki said he thought that the maintenance of the *status quo* in the foreign Settlements might perhaps be a satisfactory solution. In this view Mr. Bertie concurred.

Mr. Bertie then drew Viscount Aoki's attention to Article X of the draft Treaty, which refers to coasting trade. Lord Salisbury's proposals and previous drafts had contained a stipulation by which British vessels plying between certain open ports of Japan, in continuation of their ocean voyages, were to be entitled to carry cargo between the ports in question. That stipulation did not appear in the present draft Treaty. The general question of coasting trade would remain untouched by this stipulation. It was simply a question of continuing the hitherto existing privilege of allowing foreign vessels under certain special circumstances to carry cargo coastwise. Her Majesty's Government desired to retain the stipulation in question.

Viscount Aoki explained that his Government were anxious to reserve the coasting trade of Japan for regulation by autonomic legislation. They were not in a position to imitate the liberality of Great Britain in this respect; they desired to protect their home navigation, and they regarded the interport carrying trade referred to as inseparable from the general coasting trade of Japan.

Reference having been made by Mr. Bertie to a recent combination between certain Japanese cotton-mill owners and a Japanese Steam-ship Company to establish a monopoly in the conveyance of raw cotton from Bombay to Japan, an arrangement by which the Peninsular and Oriental Company had suffered loss, Viscount Aoki said it was possible, he thought, that this monopoly might have had its origin in Bombay, and that so long as the question had no political significance, the Japanese Government had of course no right to interfere.

Some discussion then ensued upon the duration of the proposed Treaty, which, Mr. Bertie pointed out, was, according to the new draft, to be six years instead of the twelve years, for which Lord Salisbury had stipulated; upon the question of passport facilities, in regard to which Viscount Aoki stated that his Government were prepared to grant the increased facilities defined in the Protocol of Lord Salisbury's proposals; upon the Tariff, so far only as the point of the biennial revision by Japan proposed in the new draft Protocol was concerned; and on the two points of the issue of Bonded Warehouse Regulations, and of Japan's adhesion to the Conventions for the protection of industrial property and of copyright. With respect to the last named, Viscount Aoki stated that his Government would be prepared, on the abolition of extra-territoriality, to conclude a reciprocal arrangement on the subject.

Foreign Office, April 2, 1894.

Statement regarding Japanese Laws furnished by Viscount Aoki.

Criminal Code, in force since 1875.

Code of Criminal Procedure (revised), November 1, 1891.

Code of Civil Procedure, April 1, 1891.

Code of Civil Law, suspended until December 31, 1896.

Code of Commercial Law, suspended until December 31, 1896.

Of this in force, July 1, 1893, the following portions:—

- (a.) Law of Partnership;
- (b.) Law of Exchange;
- (c.) Law of Bankruptcy.

Law for the Constitution and Jurisdiction of Courts, in force since January 1, 1891.

Rules for the examination in Law of Judicial Officers, in force since 1879.

Rules (revised) for the examination in Law of Advocates, May 1, 1893.

No. 43.

Mr. Fraser to the Earl of Rosebery.—(Received April 3.)

My Lord,

Tōkiō, February 29, 1894.

I CALLED yesterday upon Mr. Mutsu, the Japanese Minister for Foreign Affairs, and he told me that he would visit me this morning in order to speak about Viscount Aoki's mission to London.

He came accordingly, and said that he felt anxious for news that the Treaty revision negotiation had at least made a beginning. He did not at all wish to hurry its course when once started, but it was very important to the Imperial Government at this moment to know that it had really begun. The anti-foreign feeling in Japan, about which exaggerated reports had unfortunately been published in the newspapers, was unreal, and a mere consequence of party agitation. The prior engagement to treat with Great Britain upon a given basis had served lately to impede an arrangement with the Portuguese Government on the lines of the Treaty with Mexico. The present Administration was the strongest which the Empire could produce, and if they failed to effect Treaty revision nobody could do it. Nor did the Japanese Government consider themselves bound to acquiesce for ever in its present position, or to go on maintaining indefinitely a system of relations with foreign Powers which they considered to be no longer compatible with the progress and changed institutions of the country.

I could not tell his Excellency anything about the course of affairs in London since the date of my own departure from England, nor did it seem worth while to remind him of the delays which Treaty revision had suffered in Japan itself; but I deprecated impatience, expressed my readiness to give any possible help, and volunteered to telegraph to your Lordship a short report of what had been said to me.

I have, &c.

(Signed) HUGH FRASER.

No. 44.

Memorandum communicated by Viscount Aoki, April 11, 1894.

WITH reference to the Conference held on the 2nd instant between the Honourable Mr. Bertie and the Undersigned on the questions connected with the revision of the Treaties between Great Britain and Japan, the Undersigned has not failed to notice that the British Government is approaching the solution of this long-pending question in a spirit of conciliation, which the Undersigned has no difficulty in declaring is fully appreciated and reciprocated by His Imperial Majesty's Government.

From the remarks which Mr. Bertie was good enough to make, it appears, however, that on certain points there remained, on the part of Her Britannic Majesty's Government, some hesitation to meet entirely the views entertained by the Japanese Government. This difficulty the Undersigned sincerely hopes further negotiations will not fail to remove.

The Undersigned is scarcely surprised to find that, in consequence of the prevailing agitation in Japan on the question of the reform of foreign relations, the general views of Her Britannic Majesty's Government should be affected by incidents which, under ordinary circumstances, would scarcely command serious attention.

Thus, the report of Mr. de Bunsen on a conversation with Mr. Mutsu, the Minister for Foreign Affairs, coupled with an article in a Japanese paper, the "Nichi Nich Shinbun," and a reply of the Prime Minister, Count Ito, to an address of certain members of the Upper House, seem to have created a considerable impression.

In consequence of the observations of Mr. Bertie on this subject, the Undersigned, although fully convinced that there was no foundation whatever to the supposed

eventuality of a repudiation by Japan of her existing Treaty engagements, thought it his duty to report the matter to His Imperial Majesty's Government.

In reply to his telegram on the subject, the Undersigned received from Mr. Mutsu, the Minister for Foreign Affairs, by telegraph, the authorization to declare most emphatically that the same had not, whether in conversation with Mr. de Bunsen or anybody else, alluded to a renunciation of the Treaties. This statement is accompanied by the information that the paper in question, the "Nichi Nichi Shinbun," had been duly warned.

The Undersigned trusts that this declaration, which requires no further commentary, will be sufficient to remove any doubts which Her Britannic Majesty's Government may have entertained on the subject.

The first point raised by Mr. Bertie with respect to our draft of the Treaty referred to Article XVIII, which declares that the new Treaty is to be substituted to all former Treaties, Conventions, &c., agreed upon hitherto between Great Britain and Japan. Mr. Bertie proposed to retain the wording of Lord Salisbury's draft, which reads: "That all rights, privileges, and immunities hitherto enjoyed by British subjects under previous Treaties are, as far as they are not abrogated or modified by the provisions of this Treaty or of the Protocol signed this date, hereby expressly maintained and confirmed."

Mr. Bertie did not enter into any details as to what these rights were which Her Britannic Majesty's Government had thereby in view, and the Undersigned, after a careful examination, failed to discover a single point which the British Government, in the interest of British subjects, could possibly desire to maintain. The proposed return to the former draft might therefore appear to be without significance.

However, in consideration of the earnest wish of his Government for the adoption of clear and indisputable terms, the Undersigned regrets to be obliged to declare that he is not in a position to accept any modification of Article XVIII of the Japanese draft.

The following considerations will, the Undersigned trusts, explain why it would be injudicious to make any alteration in the tenour of the Article: the new Treaty and Protocol will enumerate all concessions which can reasonably be expected from the Japanese Government, and the privileges of British subjects residing in Japan are clearly defined. It is, besides, declared equally clearly that Consular jurisdiction is to cease under certain conditions, and with this a state of intercourse in conformity with the law of nations is recognized.

The abolishment of Consular jurisdiction has for its logical consequence that those immunities which were hitherto defined (right or wrong) as extraterritorial rights cease as far as non-diplomatic persons are concerned, and the sovereign rights of the State now at last come fully into force.

But by the substitution of Lord Salisbury's draft a false impression might be created, as if in reality some of the former extraterritorial rights would still survive. If there are really any rights, privileges, or immunities worth preserving, which could be maintained in view of the adoption of the new principles, it would be much better to enumerate them. But the Undersigned is sure that the most searching inquiries would fail to produce a single concession which, under the new state of affairs, could be of any practical utility.

The former concessions are either surpassed or superseded by the advantageous terms of the new Contract, which opens the whole country to British trade and residence.

An argument which might be put forward against the above assertion, namely, that if there is nothing to claim the "rédação" in question would do no harm, the Undersigned is obliged to meet by the contention that, in his opinion, the wording proposed in Lord Salisbury's draft might do considerable harm, as it would expose the Japanese Government to serious attacks on the part of the Opposition, which would not be slow to take advantage of the clause in question to assert that the objectionable conditions of the old Treaties were not altogether abolished, but still remained partly in force.

This would not only make the new Treaty unpopular in Japan, but Her Britannic Majesty's Government would in consequence fail to reap the fruits which its enlightened policy in respect to meeting the desires and aspirations of the Japanese people would have otherwise secured them.

The Undersigned fully appreciates the justice of the remark of Mr. Bertie respecting the importance which Her Majesty's Government attaches to the abolition of Consular jurisdiction, in view of the necessity of Her Britannic Majesty's Government being fully

informed of the nature of the laws to be applied in future to all residents in the Japanese Empire.

The information which the Undersigned had the honour to give in a Memorandum as to the progress of the codifications will have thrown some light on this question, and will have proved that the work is progressing satisfactorily.

By far the greater part of the most important laws are not only promulgated, but have been in actual operation, some even for a number of years. Thus, they were open to the critical inspection of foreign jurists, and the character of the judicial system has already become generally known.

As the Imperial Government takes the engagement not to give the notice provided for in Article XIX until those portions of said Codes, which are now in abeyance, are brought into actual force, the Undersigned trusts that there exists no cause for any apprehension on this account.

The Undersigned feels it necessary to explain also, in respect to an apparent want of logical consequence, alluded to by Mr. Bertie, in the past development of the negotiation for the revision of the Treaties, that this was unavoidable, and the natural consequence of attempts to bring about a compromise between a thorough reform, as desired by the Japanese nation, and the consideration for the actual conditions of foreigners in Japan.

Former Conferences sought to create a novelty in international law, and several of the foreign Delegates had evidently in their mind the establishment of some kind of Mixed Courts, alike distasteful to the Japanese national feelings as unsatisfactory in its practical working. Her Britannic Majesty's Government was, however, the first to depart from these unsatisfactory combinations, which had only succeeded in irritating the national susceptibility on the foreign question. The propositions of the British Foreign Office opened the way to the draft which we have now under consideration.

The present scheme simply adopts the general principles contained in Lord Salisbury's draft, and carefully conforms itself to the rules of the law of nations, which Japan is willing to recognize to the fullest extent; but the draft is also most careful to take into account the legitimate claims of the Japanese people, and the last alterations must be traced to this essential consideration.

The question of the possession of real property by foreigners, which was alluded to by Mr. Bertie, is one which has seriously occupied the attention of His Imperial Majesty's Government; but in view of the feelings expressed in Japan on the project of the entire opening of the country becoming known, it was considered prudent to leave this question for future settlement, and to reserve its introduction, in conformity with the principles of Western polity, to autonomous legislation. Japan in this respect is not standing alone, and the legislation of Russia, the United States, and until recently even of Great Britain, show that this question is treated by them with the greatest circumspection.

But the Undersigned feels convinced that the final solution of the freehold property question, in a satisfactory manner, is only a question of time. In the meantime, the right of leasing houses and land will satisfy all reasonable requirements of commerce and residence.

The question of the foreign Settlements has been justly pointed out by Mr. Bertie as one deserving special attention.

The rights of the leaseholders are, however, carefully defined by the title-deeds, and too well guarded by the principles of civil law as that any apprehensions on this score should be entertained.

By the incorporation of these hitherto heterogeneous portions of our townships into the Japanese municipal systems the property rights of the leaseholders are not affected, whilst any alterations in the form of the tenures might be reserved for future arrangement. The anxiety of the Japanese Government to make the new system work as harmoniously as possible might also be accepted as offering an additional guaranty for the future. It is a fact, besides, that the residence of foreigners in almost all parts of Tôkiô and other Japanese towns, under the *de facto* administration of Japanese Municipalities, has never given rise to any complaint or difficulty.

The question raised by Mr. Bertie as to the continuance of the right of British ships to carry cargo between open ports is one which the Undersigned is aware considerably affects the interests of British shipping in the Japanese waters. It is, however, equally one which the Japanese Government has been anxious to reserve entirely for the native shipping, so much in need of encouragement and protection.

But if the probability of securing an early understanding on the other questions above referred to could be materially advanced by a concession on this point, the

Undersigned is prepared to recommend this question to the serious reconsideration of His Imperial Majesty's Government, naturally without prejudicing in any manner the decision the Cabinet of Tôkiô may take.

On the question of the duration of the Treaty, the Undersigned begs to observe, in reply to Mr. Bertie's observation, that the practical results are the same in our draft and that of Lord Salisbury. By Lord Salisbury's proposal, the Treaty comes into force one month after ratification, and lasts twelve years; but the opening of Japan can only take place ~~six~~ *five** years after ratification (i.e., after five years and one year's notice),* comprising, therefore, a total of twelve years.

By the new Japanese draft the Treaty can only come into force after at least five years from the date of signature, and it terminates (upon due notice) seven years after it has come into operation, thus embracing also a total period of not less than twelve years.

At the Conference of the 2nd instant the Undersigned has, on the presumption that by an important concession on the part of Japan the settlement of the other points would be essentially facilitated on the part of Great Britain, consented to the revival of the clause in Lord Salisbury's draft referring to the extension of the passport system. This would come into force from the beginning of the new arrangement, contemporaneously with the new Tariffs: thus both Great Britain and Japan secure advantages from the conclusion of the new Treaty previously to the opening of the Empire, though these are not actually included formally in its provisions. Hence it is indisputable that materially the effects of the Treaty extend over a period of at least twelve years.

(Signed) AOKI.

*Japanese Legation, London,
April 11, 1894.*

No. 45.

The Earl of Kimberley to Mr. Fraser.

(Telegraphic.)

Foreign Office, April 13, 1894.

MR. DE BUNSEN, in his despatches of the 14th February last, reported that Count Ito and Mr. Mutsu had used language implying that Japan would resort to the repudiation of her Treaty engagements should her overtures for Treaty revision be rejected. The attention of the Japanese Minister was called to these utterances when he came to this Office on the 2nd instant to discuss the subject of revision, and he was warned that if his Government made use of language approaching to a threat to repudiate existing Treaties in support of their proposals, Her Majesty's Government would refuse to consider them.

Viscount Aoki was also told that the principles respecting the sanctity of Treaties recorded in Protocol No. 1 of the London Conference of the 17th January, 1891, continued to be those held by Her Majesty's Government.

The Japanese Minister has, since the interview of the 2nd instant, by direction of his Government, denied that Mr. Mutsu ever used expressions conveying a threat of repudiation.

No. 46.

Mr. Fraser to the Earl of Rosebery.—(Received April 14.)

My Lord,

Tôkiô, March 6, 1894.

COUNT ITO, the Prime Minister, called on me to-day, by appointment, to speak about Viscount Aoki's mission to London.

He expressed some anxiety, as Mr. Mutsu had done a few days earlier, for a beginning of the Treaty revision negotiation with which Viscount Aoki has been charged, and disclaimed in the same manner any desire to hasten the course of the discussion when once begun.

In regard to the principal difficulty, the delay of the complete publication of the Codes, Count Ito said it would be easy to give such explanations as Her Majesty's Government might desire upon the extent and probable results of the limited revision

* This correction has been made at the request of the Japanese Minister. (See Memorandum of April 24.)

which had caused that delay; and he gave me to understand that the "Treaty enforcement" Resolution which brought about the dissolution of the late Parliament had been intended not so much for an expression of hostility to foreigners as a means of pressure towards Treaty revision. There would be little objection to mixed residence in the country under revised Conventions.

This is another way of stating Mr. Mutsu's proposition that the anti-foreign feeling in Japan, which everybody has been lately deploring, is due merely to political agitation, with a slight addition. But it cannot be doubted that the agitation, on every side, of the last years, on the subject of Treaty revision, has had the most untoward results. Its continuance is a misfortune to be deprecated by everybody, and it seems hardly likely to cease so long as the question remains open.

I have, &c.
(Signed) HUGH FRASER.

No. 47.

The Earl of Kimberley to Mr. Fraser.

Sir,

Foreign Office, April 16, 1894.

I HAVE received your despatch of the 29th February, reporting a conversation which you had on the preceding day with the Minister for Foreign Affairs on the subject of Treaty revision.

I notice therein an observation by Mr. Mutsu to the effect that the Japanese Government do not consider themselves bound to acquiesce for ever in the present position of the question, or to go on maintaining indefinitely a system of relations with foreign Powers which they consider to be no longer compatible with the progress and changed institutions of the country.

You should point out to the Japanese Government that such expressions as those used by Mr. Mutsu (and reported in Mr. de Bunsen's despatch of the 14th February), viz., that he "might be compelled by meeting with discouragement in London to resort to other means of asserting what Japan believes to be her rights," if they mean that she will set aside her Treaty obligations, will retard rather than advance the revision which they desire.

When Viscount Aoki came, on the 2nd instant, to discuss the new Japanese proposals, it was then impressed upon him that as Japan desired to enter the comity of Western nations, the Japanese Government must remember that one of the first principles of those States is the respect for Treaties, which cannot be revoked by one party merely because the Treaty provisions happen to be distasteful to it.

I am, &c.
(Signed) KIMBERLEY.

No. 48.

Memorandum of Interview held at the Foreign Office on April 24, between Mr. Bertie, Mr. Gubbins, Viscount Aoki, and Baron von Siebold.

MR. BERTIE having asked the Japanese Minister whether he had any communication to make, Viscount Aoki said he wished to correct a statement in his Memorandum of the 11th April with regard to the proposed duration of the Treaty under Lord Salisbury's proposals. There was no mention in those proposals of one year's notice being given, as he had stated, and the opening of the whole of Japan to foreigners was to take place in five years—and not, as he had mentioned, in six—after ratification.

Mr. Bertie said that the necessary corrections would be made in the Memorandum in question, and revised copies would be prepared.

Mr. Bertie then asked Viscount Aoki if he would like to discuss the points raised by him in his Memorandum of the 11th April, or if he would prefer to proceed at once with the examination of the draft Treaty, taking it Article by Article.

Viscount Aoki declared his preference for the latter course.

Article I.—Mr. Bertie pointed out the desirability of substituting the words "dominions and possessions" for the word "territories" in paragraphs 1, 3, and 5, this being the more usual form. The same alteration might also be made in Article II. Viscount Aoki

agreed to this, and it was settled that the words "dominions and possessions" should be used throughout.

Article I, paragraph 2.—Mr. Bertie proposed to insert the words "or subjects or citizens of the most favoured nation" at the end of the paragraph. The Japanese Minister accepted the addition *ad referendum*.

Article I, last paragraph.—With regard to this paragraph, Mr. Bertie pointed out that in the Colonies of the Cape and Natal military service was exacted from aliens. It would, therefore, be necessary to make some arrangement by which a Colony situated as those of the Cape and Natal were in regard to this question could accede to this Treaty, as provided for in Article XVII, without being bound by the stipulations contained in the paragraph in question. This might perhaps be more conveniently done if this paragraph were made to constitute a separate Article than if it were allowed to remain, as at present, a part of Article I.

Viscount Aoki said he had no objection to make to this proposal. If Mr. Bertie would furnish him with drafts of the suggested separate Article and Arrangement, he would refer them to his Government for their observations.

Article II.—The suggested addition of the words "or subjects or citizens of the most favoured nation" after the word "subjects" in two places in paragraph 3 was accepted by the Japanese Minister *ad referendum*.

The last paragraph of this Article (which provides that the stipulations contained in it and in Article I shall not affect the special Laws, &c., with regard to trade, police, and public security in force in each of the two countries and applicable to foreigners in general) was taken exception to by Mr. Bertie; it might, he said, be construed as removing foreigners from national treatment.

Viscount Aoki explained that the paragraph was taken from the Anglo-Italian Commercial Treaty of 1883. There was no intention to curtail the rights of foreigners. But it was considered necessary by his Government to insert some provision which would guard against the danger to be apprehended from the possible acquisition by foreigners of a predominating influence in financial and commercial enterprises. It was not desirable, for instance, that the National Bank of Japan should get into the hands of foreigners, or that they should be allowed to buy up all the shares in certain steam-boat Companies. He believed that similar precautions were not unusual in other Treaties.

Article III (*Domiciliary Search*).—In answer to Mr. Bertie, Viscount Aoki explained that this Article had been taken from the Anglo-Italian Treaty of 1883: with the exception of some slight verbal changes, such as the omission of the words "manufactories, &c.," it would be found that this Article was identical with Article XVI of that Treaty.

Mr. Bertie said that he would have to refer the matter to Lord Kimberley.

Articles IV, V, VI, and VII were passed without observation.

Article VIII.—This Article is Article VI of the above-mentioned Treaty with Italy. Mr. Bertie proposed the insertion of the words "or vessels of the most favoured nation" after the words "in general" at the end of the penultimate sentence. Viscount Aoki said that he would refer the point to his Government.

Article IX was also found to have been taken from the Commercial Treaty with Italy of 1883, of which it forms Article VII.

Article X.—Mr. Bertie said that he was instructed to ask for the insertion of a provision to enable British ships trading with Japan, and in continuance of their ocean voyages, calling at Yokohama, Kobé, Hiogo, Nagasaki, and Hakodate, to take at any of those ports cargo destined for any one or more of the other ports named.

Viscount Aoki said that there would be more likelihood of the acceptance of this proposal if the number of ports were restricted. So far as Hiogo was concerned it had never been an open port, and its inclusion in the present proposal was tantamount to asking for a new open port. Hakodate again was not of sufficient commercial importance to be included.

Mr. Bertie replied that if the importance of Hakodate were so small, there could be no objection on the part of the Japanese Government to its inclusion in the list of ports named. Besides, even if few vessels stopped there at present, it was possible that the importance of the place might increase, and that it might later on become a port of call for vessels of the Canadian-Pacific line. As for Hiogo, it was now one town with Kobé, and the same treatment might be given to both places.

Viscount Aoki said he would refer the proposal to his Government.

Articles XI, XII, and XIII having been referred to the Board of Trade, it was decided to postpone their discussion until the observations of that Department had been received.

Article XIV.—The suggestion to insert the word “ships” after the word “Government” in two places in this Article was accepted *ad referendum* by Viscount Aoki, who also agreed to add the words “or citizens” after the word “subjects” in line 4.

Articles XV and XVII called for no observations.

In connection with Article XVI, dealing with patents, &c., the Japanese Minister's attention was called to the recent complaint of Messrs. Huntley and Palmer as for the counterfeiting in Japan of one of their biscuit-tins and the trade-mark attached.

Viscount Aoki fully admitted that just cause of complaint in this respect was frequently given by the Japanese. It was decided to defer discussion of this Article until the observations of the Board of Trade had been received.

Article XVIII.—Mr. Bertie said that the wording of this Article reminded him of the omission in the present draft of the stipulation contained in the previous proposals of Lord Salisbury, by which all rights and privileges not expressly abrogated were to be maintained. Her Majesty's Government would prefer the insertion of some stipulation to this effect, and there was a precedent for this.

Viscount Aoki said that, as he had already pointed out in his Memorandum of the 11th April, he had failed to discover what rights Her Majesty's Government were desirous of maintaining.

It was explained to him by Mr. Bertie that this being a case where we were asked to give up engagements interminable in their character for a terminable Treaty, it was necessary to exercise every precaution. There might be certain rights and privileges which, though not strictly speaking Treaty rights, had grown up by custom during the operation of existing Treaties, and these it was desirable to protect. If, however, the Japanese Government were prepared to meet the views of Her Majesty's Government with regard to the insertion of the so-called “interport” trade provision in Article X, and would also favourably consider their views as to the question of the ownership of property in the Foreign Settlements, Her Majesty's Government might see their way to waiving the objections raised.

Viscount Aoki said that he quite understood the point as it was now put before him, and would communicate with his Government on the matter.

Article XIX.—Mr. Bertie then inquired whether the word “signature” in this Article should not be “ratification.” Viscount Aoki replied that he had received the Article with this wording from his Government, and must refer the point to them for their decision.

With regard to the duration of the Treaty, dealt with in the same Article, Mr. Bertie informed Viscount Aoki that the proposed duration of seven years from the time when the Treaty should come into operation was considered by Lord Kimberley to be insufficient. He proposed to substitute twenty years, and asked Viscount Aoki if he would consult his Government on the point, saying that Her Majesty's Government would be glad to receive any counter-proposal they might desire to make.

Viscount Aoki replied that he would refer the matter home, but that he was personally of opinion that so long a term as twenty years was out of the question. He referred to similar provisions in other Treaties to show that it would be most unusual to bind the Contracting Parties to so long a period. He observed, however, that a duration of twenty years would be a great advantage to Japan in comparison with the existing arrangements, by which she was bound for the future without any term at all.

Mr. Bertie then read the draft of a proposed Article dealing with the question of the ownership of real property in the Foreign Settlements, to which reference had already been made in the discussion of Article XVIII. At the last meeting, he reminded Viscount Aoki, the latter had concurred in the suggestion that a satisfactory solution of the question would be found in the maintenance of the *status quo*, as regards tenure, in the Foreign Settlements. The draft Article which he had read, of which a copy would be given to the Japanese Minister, had been drawn up in order to give effect to this arrangement, and he thought that it should be included in the Treaty.

Viscount Aoki said that “this was a big question,” and that he would refer the draft Article, when he had received it, to his Government for their observations.

Mr. Bertie finally remarked that the proposals of the Japanese Government had been forwarded to the Board of Trade for their observations thereon. On the receipt of these, it would probably be necessary to reopen discussion on various points, and also to refer to certain matters which he had hitherto refrained from entering upon till Lord Kimberley had been made acquainted with the views of that Department.

Foreign Office, April 24, 1894.

No. 49.

Mr. Fraser to the Earl of Rosebery.—(Received May 4.)

My Lord,

Tókió, March 27, 1894.

I HAVE the honour to transmit herewith to your Lordship copies of a correspondence that has passed between the Japanese Department of Foreign Affairs and this Legation on the subject of a draft of general Harbour Regulations which this Government desires to promulgate for use in the ports open to foreign trade.

I have, &c.

(Signed) HUGH FRASER.

Inclosure 1 in No. 49.

Mr. Mutsu to Mr. Fraser.

(Translation.)

Sir,

Foreign Office, Tókió, March 16, 1894.

IN the IIIrd Article of the Treaty of Amity and Commerce concluded between Great Britain and Japan, it is provided that Harbour Regulations for the open ports of Japan shall be discussed by the proper Japanese official and British Consular officer stationed at the port which may be in question; and that, should they be unable to arrive at any decision, the matter shall be arranged by the intervention of the British Diplomatic officer and the Japanese Government.

Hitherto the local authorities of the open ports have had repeated conferences with the foreign Consuls, and framed schemes for arriving at a settlement of the subject, but, with the exception of Hakodate and Osaka, their exertions have proved entirely unavailing. The Harbour Regulations existing at these two ports, however, no longer meet the requirements of trade, and it is therefore most necessary that a more complete set of Regulations should be brought into operation at both of these ports. Under these circumstances, therefore, I am of opinion that the time has now arrived for referring the matter to diplomatic negotiation.

A general system of Harbour Regulations uniformly applicable to the Imperial Japanese open ports has already been maturely considered by the foreign Representatives and the Imperial Japanese Government in connection with the question of Treaty revision, but it never passed this stage, and nothing beyond certain emendations and revisions in the scheme has ever been decisively settled.

In view of the approaching completion of the Yokohama harbour works, it is most necessary that Harbour Regulations for that port should be brought into operation at an early date. Owing, however, to the gradual increase in tonnage of the shipping entering and clearing at the open ports, it is also especially desirable to promptly enforce general Regulations for the protection of life and property, the safety of shipping, and the maintenance of the ports. The establishment of harbour control being, for these reasons, of such manifest advantage, it is essential that the Regulations which are now brought forward should be wide in their scope and uniformly applicable to the open ports. The Imperial Japanese Government, therefore, have drawn up a revised draft relating to this subject, which will be brought into operation by an Imperial Decree at an early date.

I have the honour to transmit to your Excellency herewith a copy of these Regulations. They have not yet passed through the formalities of legislative enactment, but, should the terms of the original draft be decided upon, I believe that your Excellency will readily concur in them, and will take the necessary measures, on the promulgation of these Harbour Regulations, for assuring their validity in the case of British subjects and British shipping.

I take, &c.

(L.S.)

(Signed)

MUTSU MUNEMITSU,

*His Imperial Japanese Majesty's Minister for
Foreign Affairs.*

P.S.—I have the honour to add that an English translation of the Harbour Regulations is inclosed herewith for your Excellency's information.

M. M.

Inclosure 2 in No. 49.

Draft Harbour Regulations for the Open Ports.

(Translation.)

WE, with the advice of our Privy Councillors, hereby sanction the present Regulations for the open ports, and order the same to be promulgated.

(Sign Manual.)
(Privy Seal.)

Date.....

(Countersigned)

.....
Minister for Communications.
.....
Minister for Home Affairs.
.....
Minister for Foreign Affairs.
.....
Minister for Finance.

IMPERIAL ORDINANCE No.....

Harbour Regulations for the Open Ports.

Article 1. The harbour limits at the several open ports shall be hereafter specially defined by Imperial Ordinance.

Art. 2. The master of every vessel, when entering a port, shall hoist the ship's ensign and signal letters, and cause the same to be kept flying until the vessel has been duly reported at the Harbour-master's office, which must always be effected within twenty-four hours after arrival, Sundays and holidays excepted.

Art. 3. No communication shall be held with the shore until the vessel is moored within the harbour limits and a bill of health has been produced. Every vessel not provided with a bill of health shall be inspected by the proper authorities.

Art. 4. Every vessel entering a port shall anchor in the berth assigned to it by the Harbour-master; if it is desired to shift the berth of a vessel, special permission therefor must be obtained from the Harbour-master.

Art. 5. The boat belonging to the Harbour-master's office shall fly a flag of the pattern hereto annexed.

The Harbour-master may, in the performance of his duty, inspect vessels at any time, and, if necessary, he may detain a vessel or order its removal.

Art. 6. No vessel is allowed to anchor within the public fairway, or otherwise to obstruct free navigation.

In the event of the jib-boom or swinging-boom of any vessel is deemed to be an obstruction to the public fairway or to other vessels, such boom shall be rigged in according to the Harbour-master.

Art. 7. Every vessel, whether at anchor or under way, shall exhibit between sunset and sunrise the regulation lights according to the Regulations for preventing Collisions at Sea.

Art. 8. Every vessel at anchor shall at all times keep on board a sufficient number of its crew.

Whenever there are indications of storm, the master of each vessel must have spare anchor or anchors in readiness, and in case of a steamer must be prepared in addition to get up steam.

Art. 9. Any vessel arriving with any explosive or highly inflammable materials on board in excess of the vessel's customary stores, shall anchor outside the harbour limits, and shall hoist and keep flying a flag with the signal letter "B" thereon between sunrise and sunset, or conspicuously exhibit a red light between sunset and sunrise, and wait the Harbour-master's instructions.

No vessel shall be allowed to load or discharge any such materials except at places designated for the purpose by the Harbour-master.

Art. 10. All vessels laid up or undergoing repairs, and all yachts, store-ships, lighters, and boats, shall be moored in special berths assigned by the Harbour-master.

Art. 11. In case of a fire occurring on board a vessel within the harbour limits, the ship's bell shall be kept ringing until assistance is rendered; the signal letters "N M" shall be hoisted between sunrise and sunset, and the signal lights shall be constantly hoisted and lowered between sunset and sunrise.

When the assistance of the police is required, the signal letter "G" shall be hoisted between sunrise and sunset; and between sunset and sunrise a blue or flash light shall be set up as the proper signal.

No fire-arms or fire-works of any description whatever shall be discharged within the harbour limits, except for the purpose of signalling as aforesaid, without the permission of the Harbour-master.

Art. 12. On board a vessel laden with any explosive or highly inflammable materials, or such inflammable articles as cotton, hemp and flax, resin, sulphur, sulphurated saltpetre, and chloride of potash, special precautions shall be taken to prevent fire.

Art. 13. In the event of a vessel arriving from a place where a contagious or infectious disease (such as cholera, small-pox, yellow fever, or scarlet fever) prevailed at the time of departure, or in case of any such disease occurring on board the vessel during the voyage, the vessel shall anchor outside the harbour limits, and shall hoist at the foremast-head a yellow flag between sunrise and sunset, or red and white lights one above the other between sunset and sunrise, and the vessel shall be inspected by the proper authorities.

When the proper authorities approach such vessel, report shall be made to them as to whether any person has been affected with, or died of, any such disease.

The yellow flag, or the lights above mentioned, shall not be lowered until a clean bill of health is given; and no person on board such vessel shall be allowed to land, nor shall any communication be held with other vessels, until permission is given by the proper authorities.

This rule shall also apply to all vessels anchored within the harbour limits on board of which any contagious or infectious disease may have broken out, and their berths shall be shifted in compliance with the Harbour-master's order.

In the event of any vessel arriving from a place where a contagious or infectious disease affecting cattle prevailed at the time of departure, or in case of any such disease occurring on board during the voyage, the cattle on board and the dead bodies, skins, hair, and bones of such cattle shall not be landed or transhipped without the permission of the proper authorities.

The provisions of this Article shall not apply to vessels subject to the Laws or Ordinances specially established in respect to quarantine.

Art. 14. No dead body, ballast, ashes, dirt, or other refuse shall be thrown overboard within the harbour limits.

When loading or discharging coals, ballast, or other substances of a like nature, all necessary precautions shall be taken between the vessel and the lighter to prevent any such substances from falling into the water.

In the event the materials above mentioned have been thrown overboard or allowed to fall into the water, the same shall be removed by the master of the vessel in compliance with the Harbour-master's order; and if not so removed, the Harbour-master may remove the same at the expense of the master of the vessel.

Art. 15. The Blue Peter shall be hoisted, and notice given to the Harbour-master, before the intended departure of any vessel.

Art. 16. Wrecks, or other substances being sources of danger or obstructing the free navigation of a harbour or of its approaches, shall be removed by the owner thereof within the time specified by the Harbour-master; and if not so removed, the Harbour-master may remove or destroy the same at the expense of the owner.

Art. 17. All permanent moorings shall be provided by the Harbour-master's office, and no owner of a vessel shall be allowed to lay down any private moorings.

Vessels using permanent moorings shall receive in each case the permission of the Harbour-master, and shall pay therefor the prescribed fees. The permanent moorings can, however, be used only by steam-ships.

Art. 18. No chains, ropes, or other gear shall be fastened to any light-ship, or warning-buoy, or beacon.

Any vessel which runs foul of or damages any light-ship, buoy, beacon, pier, or

any other establishment, shall pay the expense incurred in repairing or replacing the same.

Art. 19. The master of a vessel shall be held responsible for any fine, fee, or expenses which may be imposed or charged on the vessel.

Art. 20. No vessel shall be allowed to depart until the fines, fees, and expenses imposed or charged on the vessel have been paid in full.

Art. 21. The Government shall in no case be held responsible for the damages done to a vessel or cargo, whatever may be the cause of such damages.

Art. 22. The infringement of any of the foregoing Regulations shall render the offender liable to a fine of not less than 2 yen, and not exceeding 200 yen.

Art. 23. The word "Harbour-master," as used in these Regulations, shall be held to include his assistants and deputies. The word "master" shall be held to mean the person for the time being having the charge or command of the vessel, regardless of his actual title.

Art. 24. These Regulations shall, excepting the provisions relating to the report of arrival and departure and signals, also apply to those vessels which are not required to obtain certificates of registry.

Art. 25. The time when, and the localities where, these Regulations are to come into operation shall be notified by the Minister of Communications.

The Minister of Communications shall issue the detailed Rules for the due enforcement of these Regulations.

No. 50.

Foreign Office to Viscount Aoki.

Dear Viscount Aoki,

Foreign Office, May 5, 1894.

IN the course of our interview at the Foreign Office on the 24th ultimo, I pointed out that it would be necessary to make some arrangement by which any of Her Majesty's Colonies, situated as, for instance, those of the Cape and Natal were in regard to the question of military service, might accede to the draft Treaty now under discussion without being bound by the stipulations contained in the last paragraph of Article I; and I suggested that this might perhaps be more conveniently done if the paragraph were made to constitute a separate Article than if it were allowed to remain, as at present, a part of Article I.

I now inclose copies of drafts of the proposed separate Article and Arrangement.

You will observe that the wording of this draft Article is the same as that of the corresponding paragraph of Article I of the draft Treaty, with the exception of the substitution of the words "dominions and possessions" instead of the word "territories"—an alteration which, as you will remember, we agreed to make at the meeting to which I have referred.

It will be unnecessary, I find, to add billeting to the list of exemptions enumerated.

With regard to the proposed arrangement, it has been thought advisable that this should take the form of notes to be exchanged when the Treaty is signed. As Article XVII fixes a period of two years as the term within which the accession of British Colonies to the Treaty will take place, this arrangement will only have effect during the stipulated period, and it seems, therefore, expedient to regulate this question in the manner proposed rather than to include an understanding, which is necessarily of a transient character, in the permanent provisions of the Treaty.

I also explained, at the same interview, that Her Majesty's Government would prefer that the question of the ownership of property held by British subjects in the foreign Settlements should be dealt with by express stipulation in the Treaty itself, and not in the Protocol, and I supported my suggestion by reference to a rough draft of an Article by which it was proposed to regulate this question in a manner more complete than that adopted in the draft Protocol.

But before communicating this draft to you, in the amplified form which is proposed by Lord Kimberley, it is desirable that the matter should be discussed again at our next meeting, when I shall be in a position to lay before you certain considerations in connection with the subject, which, in the opinion of Her Majesty's Government, appear to call for special attention.

I remain, &c.
(Signed) FRANCIS BERTIE.

Inclosure 1 in No. 50.

Draft of Notes which it is proposed to exchange when the Treaty is signed.

WITH reference to Article XVII of the Treaty between Great Britain and Japan signed this day, in view of the fact that some of the British Colonies and foreign possessions enumerated in that Article might be prevented from acceding to the present Treaty by reason of their inability to accept the stipulations relating to military service contained in Article of the said Treaty, and in order to avoid future misunderstandings, Her Majesty's Government request from the Government of Japan an assurance that any of the said British Colonies and possessions may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article .

Foreign Office,

1894.

In reply to the note of Her Majesty's Government referring to Article XVII of the Treaty between Great Britain and Japan signed this day, and requesting, for the reasons given in the said note, an assurance that any of the British Colonies and foreign possessions enumerated in that Article may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article , the Government of Japan hereby give the assurance desired.

1894.

Inclosure 2 in No. 50.

Draft of proposed separate Article relating to Military Service.

ARTICLE .

THE subjects of either of the Contracting Parties residing in the dominions and possessions of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, National Guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

No. 51.

Memorandum of Interview held at Foreign Office on May 7, 1894, between Mr. Bertie, Mr. Gubbins, Viscount Aoki, and Baron von Siebold.

THE Japanese Minister inquired if any expression of opinion had yet been received from the Board of Trade on the various points in the draft Treaty which had been submitted to them. Mr. Bertie replied that only a preliminary answer had yet been received. A further letter was expected.

Mr. Bertie then asked whether Viscount Aoki had any observations to make on the draft Article and draft notes on the subject of military service (Annex A) which had been sent to him on the 5th instant.

Viscount Aoki replied that he was about to refer them to his Government, and that, meanwhile, he had no communication to make on the subject.

Mr. Bertie next referred to the question of the ownership of real property in the foreign Settlements. At the last interview with the Japanese Minister on the 24th April he had promised to give Viscount Aoki a draft of an Article dealing with this subject. He now handed him a copy of the draft (Annex B), and repeated what he had previously said on the subject, namely, that Her Majesty's Government would prefer that it should form a separate Article in the Treaty.

Viscount Aoki said that he had personally no objection to this proposal, but he believed that his Government would prefer to deal with the subject in a Protocol.

Being pressed to give his reasons for this belief, he could only say that it was more a matter of sentiment than anything else. He added that in Lord Salisbury's proposals the question had been dealt with in the Protocol.

To this it was replied that the reason for thus dealing with this question on that occasion was that it was one of several matters which were all treated together in the Protocol and not in the Treaty. These matters had, however, under the present proposals, been reinserted in the Treaty; clearly, therefore, the question of the foreign Settlements should take its place along with the other matters with which it had a logical connection, and which were all equally intended to take effect simultaneously with the operation of the Treaty itself.

Mr. Bertie then explained that a difficulty had arisen in regard to the wording of this Article. This difficulty was that in the matter of the foreign Settlements it was impossible for Her Majesty's Government to agree to the incorporation of the Settlements with the Japanese Communes, unless the consent of the other foreign Powers concerned was also obtained to the arrangement. Great Britain could, of course, only stipulate for her own subjects, and the matter could therefore only be settled by consent of all the Treaty Powers concerned, and a proviso to that effect had accordingly been inserted at the beginning of the draft Article. Her Majesty's Government were quite willing to take the initiative by declaring their own willingness to come to an agreement, but it was clearly impossible for them to act independently in the matter, as the Settlements were occupied by the subjects of other Treaty Powers as well as by those of Great Britain; in regard to the ownership of property, and the question of municipal funds, British interests could not be separated from those of the other Treaty Powers concerned. It was also impossible that Her Majesty's Government could abandon their Consular jurisdiction unless similar steps were taken by the other Powers.

Viscount Aoki replied that he quite understood this. He would telegraph to his Government, and on receipt of their instructions would be in a position to make a definite statement.

Some discussion followed on the subject of the provisions of the draft Protocol which relate to the proposed Tariff, and it was agreed that the matter, being one of a highly technical nature, should be reserved for consideration on a subsequent occasion, when a representative of the Board of Trade would be present to assist in the discussion. But Mr. Bertie took the opportunity to observe that the Board of Trade took exception to the stipulations that the conversion of *ad valorem* into specific rates should, in the first instance, be effected by Japan, and that these duties should also, subsequently, be subjected by Japan *alone* to a biennial revision, in which the fluctuation of exchange would ostensibly be the determining factor. These were important matters, which, in Mr. Bertie's opinion, should be regulated jointly by the two Contracting Parties.

Viscount Aoki admitted the importance of the points referred to, but said that he could not at the moment recall any precedent in modern Treaties for the joint revision of Tariff duties by the two Powers concerned.

Mr. Bertie observed in reply that he did not think that Her Majesty's Government would be supported by public opinion in Great Britain if they left matters of such serious commercial importance to be regulated independently by the Japanese Government.

The Japanese Minister then referred to the increased passport facilities which were demanded by Her Majesty's Government, and inquired what form the stipulation on the subject, the insertion of which in the Protocol was desired, should take.

Some discussion having ensued upon this point, Viscount Aoki suggested that the wording of the provision in Lord Salisbury's proposals, as modified by him in the course of his negotiations with Mr. Fraser in 1890, might be adopted; and he produced a copy of this stipulation in its amended form (Annex C).

Mr. Bertie said that he would consider the matter, and refer to it again at the next meeting.

The Japanese Minister, before leaving, said that he would be absent from London until about the 20th instant.

May 7, 1894.

Annex (A).

Drafts of Notes which it is proposed to exchange when the Treaty is signed.

WITH reference to Article XVII of the Treaty between Great Britain and Japan signed this day, in view of the fact that some of the British colonies and foreign possessions enumerated in that Article might be prevented from acceding to the present Treaty by reason of their inability to accept the stipulations relating to military service contained in Article of the said Treaty, and in order to avoid future misunderstandings, Her Majesty's Government request from the Government of Japan an assurance that any of the said British colonies and possessions may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article .

Foreign Office,
1894.

In reply to the note of Her Majesty's Government, referring to Article XVII of the Treaty between Great Britain and Japan signed this day, and requesting, for the reasons given in the said note, an assurance that any of the British colonies and foreign possessions enumerated in that Article may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article , the Government of Japan hereby give the assurance desired.

1894.

Draft of proposed separate Article relating to Military Service.

ARTICLE

* The subjects of either of the Contracting Parties residing in the dominions and possessions of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, National Guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

Annex (B).

Draft of Article proposed for insertion in the Treaty between Great Britain and Japan.

Incorporation of Foreign Settlements with Japanese Communes.

Provided that the consent of the other foreign Powers is obtained, Her Majesty's Government will agree to the following arrangement:—

The several foreign Settlements in Japan shall be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan. The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements shall at the same time be transferred to the said Japanese authorities.

When such incorporation takes place, the existing leases in perpetuity under which property is now held in the said Settlements shall be confirmed, and no increase of rental nor any additional charges or other conditions whatsoever shall be imposed in respect of such property.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

Annex (C).

Draft of Stipulation to be inserted in Protocol respecting Passports. Communicated by Viscount Aoki at Meeting of the 7th May, 1894.

The Japanese Government, pending the opening of the country to British subjects, agrees to extend the existing passport system in such a manner as to allow British subjects, on the

* This wording is that of the corresponding paragraph of Article I of the draft Treaty as altered at interview of 24th April.

production of a certificate of recommendation from the British Representative in Tôkiô, or from any of Her Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Japanese Foreign Office in Tôkiô, or from the chief authorities in the Prefecture in which an open port is situated; it being understood that the existing Rules and Regulations governing British subjects who visit the interior of the Empire are to be maintained.

No. 52.

Mr. Fraser to the Earl of Kimberley.—(Received May 21.)

My Lord,

Tôkiô, April 18, 1894.

DURING the evening of Saturday, 14th instant, I had the honour to receive your Lordship's telegram of the 13th, informing me of the impression which the perusal of Mr. de Bunsen's despatch, of the 14th February, reporting the language of the Japanese Ministers upon Treaty revision, had produced upon your Lordship's mind; the consequent declarations made to the Japanese Envoy to the effect that the existing Treaties with Japan must be considered inviolable, and Her Majesty's Government would not negotiate in the presence of anything resembling a threat to abandon them; and the explanations which your Lordship had since received from this Government through Viscount Aoki.

I saw Mr. Mutsu as soon as possible on Monday morning, and left with him, for such explanation as he might think fit to give me at his leisure, in writing, a paraphrase of your Lordship's communication to myself, with a short extract from Mr. de Bunsen's despatch. I thought it better to add an extract from my own report to your Lordship of the language which he had held to myself on my return to this country in reference to Treaty revision lest that also might give alarm to Her Majesty's Government when it arrived in London.

Mr. Mutsu told me that he had received similar intelligence from Viscount Aoki; that he would give me a written answer later for your Lordship's satisfaction; but in the meantime, although he could not answer exactly for what he might have said, he could assure me that there had been no intention on his part to threaten or to suggest the possibility of a renunciation of the existing Treaties by the Japanese Empire. He showed me the Japanese text of Count Ito's letter to Prince Nijo, and pointed out a discrepancy between that and the translation published in the "Japan Mail" which sufficed to make it clear that the meaning had really been exaggerated in translation.

I went afterwards to Count Ito's office, and received from him also assurances of a similar nature. Consular jurisdiction, his Excellency said, was certainly incompatible with the Constitutional government which Japan has adopted and put in practice, but no more had been intended than an abstract assertion of this conviction. Later, there came to me from the Foreign Department copy of a telegram which had just been transmitted to Viscount Aoki, and yesterday Mr. Mutsu sent me the verbal note which I have the honour to submit to your Lordship in original herewith. It relieves me from all necessity of further explanation.

I reported to your Lordship by telegraph yesterday afternoon the result of my action.

I have, &c.
(Signed) HUGH FRASER.

Inclosure 1 in No. 52.

Paraphrase of the Earl of Kimberley's Despatch to Mr. Fraser.

I HAD an interview on the 2nd April with the Japanese Minister, and drew his attention to the language used by Mr. Mutsu, as reported in Mr. de Bunsen's despatch of the 14th February, and also to Count Ito's reference in his speech of the 13th February. I warned the Japanese Minister that I could not entertain any proposals supported by anything in the shape of menace or denunciation. Protocol No. 1 of London Conference of the 17th January, 1871, was quoted at our interview as to the sanctity of Treaties.

Extract from Mr. de Bunsen's despatch, February 14, 1894.

His Excellency repeated his conviction that no Treaty negotiation from which England stood aloof could be satisfactory. He fixed his hopes, therefore, upon your Lordship, and it would be, he said, a great blow to his policy if he should be compelled, by meeting with discouragement in London, to turn to other Powers, or to resort to other means of asserting what Japan believes to be her rights.

Extract from Mr. Fraser's despatch, February 29, 1894.

The present Administration was the strongest which the Empire could produce, and if they failed to effect Treaty revision, nobody could do it; nor did the Japanese Government consider themselves bound to acquiesce for ever in its present position, or to go on maintaining indefinitely a system of relations with foreign Powers which they considered to be no longer compatible with the progress and changed institutions of the country.

Inclosure 2 in No. 52.

Mr. Mutsu to Viscount Aoki.

(Telegraphic.) *April 16, 1894.*

HAD an interview with the British Minister on the subject of your telegram to-day. He has shown me telegram from his Government, and also extracts of Mr. de Bunsen's despatch as well as his own. I repeat to you my former assurance that Japanese Government have no intention whatever of renouncing existing Treaties, and much less of assuming menacing attitude. Existing Treaties and present condition of Japan are incompatible, and I advanced that fact, in my conversations with the British Minister and Mr. de Bunsen, as most important reasons for urging Treaty revision. These conversations both times were in the same sense. Mr. de Bunsen appears to have misconstrued the same as meaning "to resort to other means of asserting what Japan believes to be her rights." You may point out to British Government that this passage is quite contradictory to the sense of the preceding passages of the same despatch, which plainly manifested solicitude for Treaty revision. As to the statement of Count Ito, it was only an abstract reference to the incompatibility above mentioned, as is plain from its Japanese text.

(Signed)

MUTSU.

Inclosure 3 in No. 52.

Memorandum.

THE Imperial Government have never attempted to conceal the fact that Consular jurisdiction, as understood and practised in Japan, is incompatible with a Constitutional form of government. They have, on the contrary, pointed out on all suitable occasions that the endeavour indefinitely to perpetuate the two institutions side by side must in the nature of things finally result in a conflict, more especially in the matter of legislation. In view of that incompatibility, and the consequences which, in reason, may be expected to flow from it, the Imperial Government have been particularly urgent on the subject of Treaty revision.

In the matter of the adoption of the Constitution they felt assured of the hearty sympathy of Great Britain, and they believed that, by frankly pointing out the danger arising from the present situation, they might confidently count upon the cordial co-operation of Her Britannic Majesty's Government in the effort to relieve the Constitution of that stress which the existence of Consular jurisdiction places upon it.

It was in this sense, and in this sense alone, that Mr. Mutsu spoke to Mr. de Bunsen. Anything even suggestive of denunciation was wholly foreign to his intention, as it certainly is antagonistic to the policy of the Imperial Government.

Fully impressed as he was, and is, with the necessity of Treaty revision, and the commanding advantages of a speedy adjustment of the question, Mr. Mutsu said he might, under certain circumstances, be compelled to approach other Powers on the

subject before bringing the negotiations with Great Britain to a conclusion. It was more especially with a view to prevent such a conjunction that he urged, through Mr. de Bunsen, prompt action on the part of the British Government. He had no intention whatever of intimating that the Imperial Government might in any event resort to any means other than Treaty revision to accomplish the desired end.

Any understanding, therefore, on the part of Mr. de Bunsen of Mr. Mutsu's remarks inconsistent with the foregoing avowals is solely attributable to a misapprehension of the meaning which Mr. Mutsu desired to convey.

The observations made by Count Ito, in his reply to Prince Nijo and others, if read in the light of the surrounding circumstances, will be found to be in perfect harmony with the declared policy of the Government. It was essential for him to show, on the one hand, that the Cabinet was fully alive to the necessity of Treaty revision; and, on the other, he was anxious to satisfy those to whom the communication was addressed, and through them the country at large, that the Imperial Government would exhaust every means in their power to secure a just modification of Japan's international engagements.

The conscientious endeavour on the part of the Imperial Government to fulfil in good faith their existing Conventional obligations, coupled with their recent attitude on the subject of the strict enforcement of Japan's Treaties, are in themselves strong guarantees that the Imperial Government have no thought of resorting to denunciation in order to free the Empire of those Treaties.

It only remains for the Imperial Government unequivocally, and without any reservation whatever, to declare that the proposals now under consideration of Her Britannic Majesty's Government rest solely upon their own inherent merit. They are not supported by any menace of denunciation, and the Imperial Government have no wish or intention of attempting a modification of their Treaties except by the method clearly prescribed in those Treaties.

The Guaimushō, Tōkiō, April 16, 1894.

Inclosure 4 in No. 52.

*Translation of passage in Count Ito's Letter
to Prince Nijo.*

THOSE national rights which may be asserted by the strict enforcement of the Treaties should, of course, be strictly enforced; and, moreover, should it be necessary to insist upon our national rights, we must labour to abolish and amend the provisions of such Treaties.

* * * *

The Government is convinced that it does not lie under the obligation of willingly acquiescing in the sacrifice of Japanese rights by submitting to the present Treaties permanently and indefinitely.

*Translation as published in "Japan
Mail."*

IT is, of course, necessary to strictly enforce such provisions of the existing Treaties as are essential to the assertion of the national rights, and, when required, efforts must be put forth for the abolition and amendment of such provisions as may interfere with the exercise of the sovereign rights of the country.

* * * *

The Government is convinced that Japan is not called upon permanently and indefinitely to sacrifice her rights by complying with the existing Treaties.

No. 53.

Memorandum of Interview held at the Foreign Office on May 25, 1894, between Mr. Bertie, Mr. de Bunsen, Mr. Gubbins, Viscount Aoki, and Baron von Siebold.

VISCOUNT AOKI announced that he had received the answers of the Japanese Government on the various points which he had referred to them. He would take them in the order of the Articles of the Treaty to which they related.

Article I. The Japanese Government concurred in the suggestion to substitute the words "dominions and possessions" for the word "territories" in this Article, and to make the same alteration throughout the Treaty wherever the word "territories" occurred.

Article I, paragraph 2. The Japanese Government objected to the insertion at the

end of this paragraph of the words "or subjects or citizens of the most favoured nation." The paragraph in question related to the administration of justice, and his Government were unwilling to accept any alteration which might suggest the possibility of exceptional treatment, not accorded to their own subjects in the matter of jurisdiction, being extended to the subjects or citizens of any Treaty Power. There was no *arrière-pensée*, Viscount Aoki said, on the part of his Government, and they did not see how any difficulty could arise on the point, for it would be impossible for Great Britain to be shut out of any privileges granted to other nations. He added that he had examined a large number of Treaties, but could find no precedent for the use of these words in this particular context.

Mr. Bertie said he would look into the matter of precedents. The addition he thought was quite harmless, and he did not see the force of the objection.

Article I, last paragraph. Military Service, &c. The proposal to make a separate Article of this paragraph, and to exchange notes on the subject, in order to meet the difficulty arising from the fact that in certain British Colonies military service was exacted from aliens, was accepted by the Japanese Government.

Article II, paragraph 3. The proposed addition of the words "or subjects or citizens of the most favoured nation" in two places in this paragraph, after the words "native subjects," was also agreed to by the Japanese Government.

Article VIII. The Japanese Government agreed to the insertion of the words "or vessels of the most favoured nation," at the end of the first sentence.

Article X. Coasting Trade. With regard to the amendment proposed by Her Majesty's Government in this Article, Viscount Aoki stated that his Government had instructed him to propose an additional clause, to the effect that the Japanese Government agreed to allow British vessels to continue, as heretofore, to carry cargo between the open ports of the Japanese Empire, with the exception of Osaka, Hakodate, Niigata, and Yebisu-minato. This arrangement was to be limited to a term of six years from the date on which the Treaty would come into operation. With this limitation, and subject to the exclusion of the ports named, the proposals of Her Majesty's Government with regard to this Article would be accepted.

Mr. Bertie pointed out that if Her Majesty's Government assented to this modification of their proposed amendment, they would find themselves in a worse position at the end of the six years than they were at present. He asked why Hakodate was excepted from the number of ports where the trade was to be permitted.

Viscount Aoki said it was on account of the unimportance of Hakodate as a commercial port.

Mr. Bertie then repeated what he had said at the interview of the 24th April, to the effect that there could be no objection on that ground to the inclusion of Hakodate in the list, and that it was desirable to make provision for its possible increase in commercial importance. The proposed six years' limit would be a retrograde step, and he must refer the suggestion to Lord Kimberley before making any further observations on the subject. In his opinion, such a limitation would be received most unfavourably in British commercial circles. He thought that the privilege should last, at any rate, as long as the Treaty remained in force.

Viscount Aoki said he would refer to his Government for instructions, and would at the same time recommend the insertion of Hakodate in the list of places open to "interport" trade.

Article XIV. Viscount Aoki stated that his Government agreed to the proposal to insert the word "ships" after the word "Government" in two places in the Article, and also the words "or citizens" after the word "subjects" in line 4.

Article XIX. Viscount Aoki explained why his Government preferred to retain the wording of this Article, which provides that the Treaty shall not take effect until at least five years after its signature. Her Majesty's Government had been under the impression that the word "signature" had been inadvertently inserted instead of "ratification," as it was unusual to use the former word in such context. The Japanese Government were not absolutely disinclined to accept the alteration, if Her Majesty's Government attached importance to it. But as the ratifications, according to Article XX, were to be exchanged within six months after signature, the period during which the Treaty was in abeyance would be reduced by perhaps six months. The Japanese Government also intended that this Treaty with Great Britain should serve as the point of departure for all their similar Treaties with other Powers, which it was desired should all come into operation at the same time as the Treaty with Great Britain. The date of signature would be a fixed date, from which to calculate in their negotiations with other Powers; the date of ratification was an uncertain date.

Mr. Bertie said that he quite understood this explanation. No great importance was attached to the matter by Her Majesty's Government, but they had called attention to it because the wording of the Article had appeared unusual. After hearing Viscount Aoki's statement, however, it was unnecessary to dwell any further upon this point.

With regard to the duration of the Treaty, Viscount Aoki said that, in his interview of the 24th April with Mr. Bertie, the latter had informed him that Her Majesty's Government considered the term of seven years proposed in the draft Treaty to be insufficient, and had suggested the substitution of twenty years.

The Japanese Government now made a counter-proposal: they were ready to extend the duration of the Treaty from seven years to ten years.

Mr. Bertie said that he was of opinion that this concession of three years was not likely to be accepted by Lord Kimberley, whose instructions he would take on the subject. Her Majesty's Government were giving up a great deal by this Treaty. They were not desirous of pressing the Japanese Government to accept their original suggestion of a duration of twenty years, but they might agree to fifteen years as a mean between the terms of ten and twenty years proposed by the two Governments. The Board of Trade, Mr. Bertie added, were anxious, for the sake of stability of trade, to secure as long a term as possible.

Viscount Aoki repeated what he had said at a former interview as to the unprecedented nature of a provision for a duration of twenty years in a Commercial Treaty, and as to the unwillingness of his Government to bind themselves for a longer term than ten years. After some further discussion, he said that his Government might possibly be prepared to extend the term to twelve years, but that he was not authorized to state this.

Viscount Aoki then returned the draft of the proposed Additional Article dealing with the question of the ownership of leasehold property in the foreign Settlements. The draft Article had been communicated to him by Mr. Bertie at the interview of the 24th April, and he had now received from his Government certain amendments which they thought desirable. His Government objected to the stipulation, "provided that the consent of the other foreign Powers is obtained," which, in their opinion, nullified the effect of the Article. He presented the draft, thus amended, as an official counter-proposal on behalf of his Government. (See Annex.)

In order to meet Mr. Bertie's objection, that Her Majesty's Government could not stipulate for the subjects of other Powers, and that that was the reason for the form of the Article as drafted at the Foreign Office, Viscount Aoki suggested, on his own part, and unofficially, a further amendment, viz., the insertion of the words "in so far as British subjects are concerned" after the word "consent."

Mr. Bertie said that after submitting the Japanese counter-proposal to Lord Kimberley, and receiving his Lordship's instructions, he would communicate with Viscount Aoki further on this point.

The Japanese Minister suggested that he might at the same time be informed of the views of the Board of Trade on the various questions which had been referred to them. He had as yet received only a preliminary statement of their opinion.

Mr. Bertie replied that the Board of Trade attached great importance to the Article dealing with the so-called "interport" trade. He would say at once that their opinion on the Tariff and other commercial arrangements was, in the main, a favourable one, subject to their views as to the "interport" Article being accepted by the Japanese Government; but as the Japanese Government had suggested considerable reductions in the advantages now enjoyed by British shipping in that respect, he could not say how far their views would be modified.

At a previous meeting, he had pointed out to Viscount Aoki that Her Majesty's Government might see their way to acquiescing in the omission of Article I* of Lord Salisbury's draft Treaty if the Japanese Government met them on other points, amongst which was this question of "interport" trade. He did not think that the Japanese Government's concessions in this direction went far enough.

Mr. Bertie called attention to Article XIII of the draft Treaty. That Article provided for the surrender of deserters from merchant-vessels, but he thought that some provision should also be made for the surrender of deserters from British ships of war.

Viscount Aoki asked if any precedents existed for such a provision.

Mr. Bertie replied that he was aware that Her Majesty's Government had no power

* Maintenance of all rights not expressly abrogated by new Treaty.

to surrender deserters from foreign ships of war. Cases of the desertion of seamen from vessels of the Japanese navy to British possessions were not very likely to arise, but, in view of the frequent visits of Her Majesty's ships to Japanese ports, some such provision as he had suggested appeared desirable in continuation of the practice now in force. He added that he would inquire as to precedents in existing Treaties, and inform Viscount Aoki of the result.

The Japanese Minister, referring to the possible conclusion of an Extradition Treaty with Great Britain, asked if he could be supplied with a copy of one of the existing Extradition Treaties between Great Britain and foreign Powers. Mr. Bertie gave to him copies of the Treaties with Monaco and Roumania.

Foreign Office,

May 25, 1894.

Annex.

Draft of Article proposed for insertion in the Treaty between Great Britain and Japan.

HER Majesty's Government give their consent to the following arrangement :—

The several foreign Settlements in Japan shall be incorporated with the respective Japanese communes, and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements, shall at the same time be transferred to the said Japanese authorities.

When such incorporation takes place the existing leases in perpetuity under which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those recited in such leases shall be imposed in respect of such property. It is, however, understood that the Consular authorities mentioned in [the same] are in all cases to be replaced by the Japanese authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

No. 54.

The Earl of Kimberley to Mr. Fraser.

Sir,

Foreign Office, May 30, 1894.

I HAVE to acknowledge the receipt of your despatch of the 18th ultimo, giving Mr. Mutsu's explanation of the language held by him to Mr. de Bunsen and yourself, which had appeared to Her Majesty's Government to indicate an intention on the part of the Japanese Government in certain contingencies to repudiate the Treaties with this country by which Japan is at present bound.

Her Majesty's Government accept as satisfactory Mr. Mutsu's explanation of the meaning of his language, and are glad to receive his assurances with respect to the views and intentions of the Japanese Government in the matter of Treaty revision.

I am, &c.

(Signed) KIMBERLEY.

No. 55.

The Earl of Kimberley to Mr. Fraser.

Sir,

Foreign Office, June 4, 1894.

THE draft General Harbour Regulations, which the Japanese Government desire to promulgate for use in all ports open to foreign trade, and of which a copy was inclosed in your despatch of the 27th March last, have been examined by the Board of Trade, and they contain nothing to which reasonable objection can be taken.

I have therefore to authorize you to assent to them so far as Her Majesty's Government are concerned, provided that they are made applicable to the shipping and subjects of all other foreign countries.

I am, &c.

(Signed) KIMBERLEY.

Memorandum of Interview held at the Foreign Office on June 7, 1894, between Mr. Bertie, Mr. de Bunsen, Mr. Gubbins, Viscount Aoki, and Baron von Siebold.

REFERRING to the consent of the Japanese Government, as communicated by Viscount Aoki at the last meeting, to the substitution of the words "dominions and possessions" throughout the Treaty wherever the word "territories" occurred, Mr. Bertie said that the agreement on this point was of course intended to cover the use of the words in question throughout the Treaty in substitution not only of the word "territories," but of any other word employed in the same meaning. The object of the alteration which had been agreed upon was simply to secure uniformity of wording in each Article.

Viscount Aoki replied that he understood the agreement on this point in the sense explained by Mr. Bertie.

Article I, paragraph 2.

With regard to the objection of the Japanese Government to the insertion of the words "or subjects, or citizens, of the most favoured nation," on the grounds that they were unwilling to accept any alteration which might suggest the possibility of exceptional treatment not accorded to their own subjects in the matter of jurisdiction being extended to the subjects or citizens of any Treaty Power, and that Great Britain could not possibly be shut out of any privileges granted to other nations, Mr. Bertie stated that cases had occurred in Austria in which Swedish and Norwegian subjects, and also citizens of the United States, had secured advantages with regard to trade-marks which were not enjoyed by Austrian subjects.

Viscount Aoki repeated the observations which he had made on this subject at the last meeting, emphasizing the point that the clause in question referred only to the administration of justice. The whole object of the revision of the present Treaties, he added, was to place foreigners and native subjects on the same footing; the amendment desired by Her Majesty's Government would, if accepted, be in direct opposition to the principle of the new Treaty, and would create much dissatisfaction in Japan.

Mr. Bertie said he would refer the matter again to Lord Kimberley, and receive his instructions.

Article II, last paragraph.

Mr. Bertie pointed out that the only precedent for the insertion of this paragraph existed in the Anglo-Russian Treaty of 1859. When this question was discussed at the meeting of the 24th April, Viscount Aoki had referred him to the Anglo-Italian Treaty of 1883 as containing a similar provision. He had examined that Treaty, but could not find in it any stipulation of the same character as the one in the present draft.

Viscount Aoki explained that the stipulation in question simply expressed the sovereign rights which were exercised by all nations. The question of the insertion of this stipulation had been fought on previous occasions when a Treaty was under negotiation, and in inserting it in their present draft, the Japanese Government were prepared to encounter opposition. There was a fear in Japan that if no restrictions were placed upon the introduction and employment of foreign capital, a controlling influence in certain Japanese enterprises might be acquired by foreigners. It was against this contingency that his Government wished to provide.

Mr. Bertie then suggested that Viscount Aoki should furnish a Memorandum, setting forth the reasons which the Japanese Government had for the retention of this paragraph.

Viscount Aoki agreed to do so.

Article III. Domiciliary Search.

Mr. Bertie said that on comparing this Article again with the corresponding clauses of Article XVI of the Anglo-Italian Treaty of 1883, from which Treaty, as explained by Viscount Aoki at the meeting of the 24th April, the present Article had been taken, he had noticed that the word "manufactories," which occurred in the Italian Treaty between the word "dwellings" and the word "warehouses," did not appear. The

omission of this word had indeed been observed at the meeting in question, but he had not then called attention to the matter. This omission, he assumed, was purely accidental, and he supposed there could be no objection on the part of the Japanese Government to the insertion of this word.

Viscount Aoki said that he must refer the point to his Government.

Article X. Coasting Trade.

Mr. Bertie said that he was instructed by Lord Kimberley to press for the inclusion of Hakodate in the list of open ports between which the "interport" trade would be carried on, and for the period during which the privilege in question was to be enjoyed by British vessels to be made the same as the term of duration of the new Treaty.

Viscount Aoki promised to refer the matter again to his Government.

Article XIII. Surrender of Deserters.

After some discussion, it was decided that Viscount Aoki should propose to his Government the substitution of Article XVIII of the Anglo-Italian Treaty of 1883 in place of the first paragraph of the present Article, and the retention of the second paragraph of the latter Article.

Articles XIX and XX. Operation of Treaty and Ratification.

Mr. Bertie drew attention to the stipulations of these two Articles, which together determined the date of operation of the Treaty. It was proposed that ratification should follow within six months of signature, but that the Treaty should not come into force until a period of five years from the date of signature had elapsed. These stipulations were unusual in a Commercial Treaty, and had elicited some comment from the Treaty authorities to whom the present proposals had been referred. He would be glad if Viscount Aoki would give him some explanations on this point.

Viscount Aoki replied that the arrangement (embodied in Article XIX) by which the Treaty was not to come into force until after five years was due to the desire expressed by foreign Powers, that the codification of the Japanese laws should precede the operation of the Treaty. The completion of the work of codification would, it was believed, occupy about five years, which was the period during which it was proposed that the Treaty, although ratified, should remain inoperative. The Japanese Government would of course have preferred to put the Treaty into force immediately upon ratification; but the question of codification having been raised they had deferred to the wishes of the Treaty Powers, and it was, therefore, proposed to postpone the operation of the Treaty in order to give time for the work of codification to be completed. The ratification of the Treaty, as provided for in Article XX, was necessary, in order that the Japanese Government might enjoy the benefit of the new Tariff established by the Protocol.

After some further conversation, it was agreed that Viscount Aoki should draw up a Memorandum on the subject for the information of Lord Kimberley.

Duration of Treaty (Article XIX).

Mr. Bertie observed that Lord Kimberley attached great importance to this point. He was instructed to propose again a period of fifteen years as a fair compromise between the period of twenty years which Her Majesty's Government had originally specified, and the term of ten years which the Japanese Government had signified their willingness to concede.

Viscount Aoki thought it would be difficult to get his Government to agree to this, but he would refer the matter again to them.

Tariff.

Mr. Bertie having inquired whether Viscount Aoki, who had spoken to him privately on this subject since the last meeting, wished this question to be dealt with in London

or at Tôkiô, the Japanese Minister said he would like to receive any suggestions which Mr. Bertie might have to make.

Mr. de Bunsen then handed to Viscount Aoki a paper (Annex A), showing the amendments which the Board of Trade wished to make in the draft Tariff; and he explained that in regard to cotton and woollen fabrics, the Board were of opinion that an enumerated category was undesirable unless it were exhaustive, and that, on the whole, it was advisable to adopt a wider classification. They had, therefore, suggested an unenumerated category in both these classes of goods. Viscount Aoki would also notice that the Board of Trade had made one or two additions to the list of articles specified in the Tariff.

Viscount Aoki said he would study the amendments of the Board of Trade at his leisure, and would communicate with his Government on the subject.

Tariff. Conversion of ad valorem into Specific Duties and Biennial Revision.

With regard to the first of these points, Mr. Bertie explained that the Board of Trade objected to the stipulation that this conversion should be effected by Japan alone. Injustice might be done to certain classes of goods by an arbitrary conversion of duties which did not take sufficiently into account the difference in the values of high-priced and low-priced fabrics. By making the best classes of goods the basis of a conversion of *ad valorem* into specific duties, a duty of 10 per cent. might easily become one of 20 per cent.

The Board of Trade also objected to the stipulation as to the duties being subjected to a biennial revision by the Japanese Government in order to meet the fluctuations of exchange. They had pointed out that the only compensation for the falling-off of importation caused by a rise in the rate of exchange was the lower duty payable, and that even this compensation would be lost if this stipulation were accepted.

Her Majesty's Government held that neither of these matters could properly be dealt with by the Japanese Government alone. They should be regulated by common accord between the two Governments.

Viscount Aoki said that his Government had already taken note of the objections entertained by Her Majesty's Government to the stipulations in question. He was now instructed to present a proposal (Annex B) for the regulation of the question of the conversion of *ad valorem* into specific duties by means of a Supplementary Convention. In this draft his Government suggested that the medium prices of goods for the six calendar months preceding the signature of the Protocol, as shown by the Japanese Custom Returns, should be taken as the basis of the conversion of *ad valorem* into specific duties; and they also proposed that, should the Supplementary Convention not have been concluded by the date fixed for the operation of the new Tariff, the new duties should be levied temporarily, either in the form of specific duties converted from *ad valorem* rates in conformity with the basis already mentioned, or in the form of *ad valorem* duties calculated in accordance with the provision on this subject in the Tariff.

Mr. Bertie said he would refer this proposal to the Board of Trade.

Foreign Settlements.

Mr. Bertie stated that Her Majesty's Government would accept the draft Article on this subject as amended by the Japanese Government. They wished, however, to make two slight alterations. These were the insertion of the words "so far as they are concerned" after the words "Her Majesty's Government," and the substitution of the words "contained in such existing leases" for the words "recited in such leases."

Industrial Property and Copyright.

Mr. Bertie said that Her Majesty's Government desired to receive from the Japanese Government an assurance with regard to Japan's adhesion to the International Conventions on these subjects, and, in reply to an inquiry from Viscount Aoki as to the form which it was desired that this assurance should take, he explained that Her Majesty's Government would be content with the insertion in the Protocol of a stipulation similar to that contained in the draft Protocol of Lord Salisbury's proposals, a copy of which (Annex C) he handed to the Japanese Minister.

Viscount Aoki said that he would refer the proposal to his Government. He was afraid, however, that in the case of copyright there would be some difficulty in meeting the wishes of Her Majesty's Government, as considerations affecting education were involved in this question. It was, moreover, advantageous to Great Britain that her literature should have a wide circulation in Japan, while the printing of pirated books was so bad as to prevent any chance of their finding a market out of the country.

Mr. Bertie pointed out that the rights of individual authors ought to be protected, and that it was manifestly unfair to them that their works should be pirated in the manner now unfortunately so common in Japan.

Passport Facilities.

Mr. de Bunsen referred to the words "Rules and Regulations" which occurred in the stipulation to be inserted in the Protocol under which the Japanese Government undertook to grant increased passport facilities, and asked Viscount Aoki what these "Rules and Regulations" were. It was necessary to obtain information on this point, in order that Her Majesty's Government might know exactly to what they were binding themselves. Cases, he added, had occurred in which over-zealous police officers in Japan had insisted on the enforcement of antiquated Regulations, and considerable annoyance had thus been caused to British travellers.

Viscount Aoki said he would take a note of this point, and would furnish the information desired.

Japanese Codes.

Mr. Bertie said that he was aware that the Japanese Government objected to communicate their new Codes to Treaty Powers *ad informandum*. Her Majesty's Government wished, however, to impress upon the Japanese Government the necessity of publishing the texts of the new Codes either in English or in some European language, such as French, German, or Italian, as might be most convenient.

Viscount Aoki replied that it was in the interest of Japan, as well as in that of Treaty Powers, to publish translations of the new Codes, but that he did not think that any authentic translations existed. If there were any, they would probably be in French or German, for Japanese jurists had gone chiefly to France and Germany for the models for their new laws; and he could only assure Mr. Bertie that if any translations were available, Her Majesty's Government should be the first to receive them.

Foreign Office,
June 7, 1894.

Annex (A),

TARIFF annexed to the Protocol concluded between Japan and Great Britain on
the day of the month of the year of Meiji.

Articles.	<i>Ad valorem</i> Rates of Duty.
	Per cent.
Canvas and cotton ducks	10
Caoutchouk, manufactures of	
Cement, Portland	5
Cotton—	
Yarns.. .. .	
Tissues of all sorts, plain or mixed with tissues of flax, hemp, or other fibre, including wool, the cotton, however, predomi- nating	
Glass, window, ordinary—	
(a.) Uncoloured and unstained	8
(b.) Coloured, stained, or ground	10
Hats, including also hats of felt	
Indigo, dry	10
Iron and steel—	
Pig and ingot	5
Rails	5
Bar, rod, plate, and sheet	7½
Tiuned plates	
Galvanized sheet	10
Pipes and tubes	10
Lead, pig, ingot, and slab	5
Leather—	
Sole	15
Other kinds	10
Linen—	
Yarns.. .. .	
Tissues	
Mercury or quicksilver	5
Milk, condensed or dessicated.. .. .	5
Nails, iron	10
Oil, paraffin	10
Paint in oil	10
Paper, printing	10
Saltpetre	5
Screws, bolts, and nuts, iron	10
Silk satins and silk and cotton mixtures.. .. .	15
Steel, ingot, pig, and slab	5
Tin—	
Block, pig, and slab	5
Plates.. .. .	10
Wax, paraffin	5
Wire—	
Telegraph	5
Iron and steel, and small rod iron and steel not exceeding ¼ inch in diameter	10
Woollen and worsted—	
Yarns.. .. .	
Tissues of all sorts, plain or mixed with other material, the wool, however, predominating	
Yarns of all sorts, not specially provided for	8
Zinc—	
Block, pig, and slab	5
Sheet	7½

Annex (B).

The *ad valorem* duties established by the said Tariff shall, so far as may be deemed practicable, be converted into specific duties by a Supplementary Convention, which shall be concluded between the two Governments within six months from the date of this Protocol; the medium prices, as shown by the Japanese Customs Returns during the six calendar months preceding the date of the present Protocol, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication, to the port of discharge, as well as commission, if any exists, shall be taken as the

basis for such conversion. In the event of the Supplementary Convention not having come into force before the expiration of the period fixed for the said Tariff to take effect, either specific duties in conformity with the basis above, or *ad valorem* duties in conformity with the rule recited at the end of the said Tariff, shall, in the meantime, as the Japanese Government may determine, be levied.

Annex (C).

The Japanese Government undertakes, before the cessation of British Consular jurisdiction in Japan, to join the International Conventions for the Protection of Industrial Property and Copyright, and to pass laws giving full effect to these Conventions.

No. 57.

Viscount Aoki to Foreign Office.—(Received June 13.)

VISCOUNT AOKI presents his compliments to Mr. Bertie, and begs to inclose a Memorandum on the questions referred to at the last Conference.

*Imperial Japanese Legation, London,
June 12, 1894.*

Inclosure in No. 57.

Memorandum.

IN conformity with the engagement taken at the Conference of the 7th instant, the Undersigned has hereby the honour to offer a few observations respecting the points under discussion in Articles I, II, XIX, and XX.

Referring to the second paragraph of Article I, Her Britannic Majesty's Government is desirous of introducing an amendment to the effect that the "most-favoured-nation treatment" should be explicitly secured for British subjects in the administration of justice.

Without going into the question whether such a clause is usual in European Treaties, the Undersigned begs to observe that it would evidently produce the impression that the High Contracting Parties were looking forward to the possibility that, notwithstanding the contemplated revision of the Treaties, the subjects of one or the other Treaty Power would be subsequently placed in an exceptionally privileged position in respect to jurisdictional matters. The Undersigned has no hesitation in asserting that His Imperial Majesty's Government has no intention to admit in its subsequent negotiations with the other Powers any discrimination between natives and aliens in the administration of justice.

Where the privileges partake of the nature of commercial or economic interests, the most-favoured-nation clause (Article XIV) is sufficient to secure to British subjects also the full enjoyment thereof.

Respecting the question of trade-marks alluded to at the last Conference, it is evident that this does not fall under the last paragraph of Article I, which deals exclusively with judicial matters.

From the experience gathered in former negotiations, His Imperial Majesty's Government is most anxious to exclude every ambiguous or conditional phraseology from the new Treaty, which might give the opposition an opportunity of questioning the sincere and positive intention of Her Britannic Majesty's Government.

The new Treaty, it is hoped, will not only pave the way for all those Treaties that must follow, but it should serve as a model in all subsequent negotiations. In this document, therefore, there should be nothing introduced admitting the eventuality of a departure from those principles which have been paramount in its negotiation.

The last paragraph of Article II (taken from the Anglo-Russian Treaty of 1859) has caused some observations which evidently arise from doubts entertained as to its

exact tenour and object. The object of its introduction is a double one, namely, in the first instance, to serve as a declaration of the sovereign rights of the State to legislate on all the questions enumerated in the preceding paragraph—(this is contained in many Treaties, and was expressed in Lord Salisbury's Memorandum by the words, "subject always to the Laws and Regulations of its country")—and, in the second instance, this clause is also intended to calm the alarmists in Japanese political circles, who already predict that Western capital will buy up all the shares in the national banks, railways, &c., and economically take command of the Empire's resources.

Her Britannic Majesty's Government can in this respect rest assured of the *bond fide* nature of the Japanese propositions and intentions.

The Undersigned trusts that, even if another precedent should not be found in other Treaties, the British Government will, in consideration of the above, not refuse its assent to the introduction of a paragraph for which one precedent at least has been established in a comparatively modern Treaty.

With respect to Articles XIX and XX, the Undersigned has not failed to take into consideration the remarks made at the last Conference. He admits that the period named for the full realization of the Treaty is a comparatively long one, and that, in consequence, the proposal for its immediate ratification may be an uncommon procedure. But he begs Her Britannic Majesty's Government to observe that, by the contemplated arrangements, Treaty and Protocol (in virtue of which both Tariffs and passport Concessions at once come into force) are so closely connected, that any attempt to separate them would destroy the whole system on which our negotiations are based.

Besides, the period of five years is adopted principally in deference to the wishes of foreigners, in order to allow for a sufficient period for the complete introduction of the Japanese Civil Codes which are now under revision.

It is essential, both in the interests of Great Britain and Japan, that the chaos of Treaty revision should be now definitely settled, and our future relations placed on a sound and secure basis. This can only be effected by a mutually binding instrument, namely, a duly ratified International Treaty.

(Signed) AOKI.

*Imperial Japanese Legation, London,
June 12, 1894.*

No. 58.

Memorandum of Interview held at the Foreign Office on Wednesday, the 27th June, between Mr. Bertie, Mr. de Bunsen, Mr. Gubbins, Viscount Aoki, and Baron von Siebold.

MR. BERTIE asked Viscount Aoki if he was prepared to communicate the decision of his Government on points which he had referred to them.

Viscount Aoki replied that his Government had signified to him their readiness to consent to a term of twelve years for the Treaty, and also to accept the proposal of Her Majesty's Government that the right of British vessels to carry cargo between the open ports of Yokohama, Kobe, Nagasaki, and Hakodate should be granted for the same period of twelve years. These concessions were, however, only made by his Government on the understanding that Her Majesty's Government would bring forward no fresh demands.

Mr. Bertie then referred to the omission of sugar from the Conventional Tariff. The question of the duty to be levied on sugar under the new Tariff was a very serious one, in view of the importance of the sugar-refining industry of Hong Kong. The Colonial Office had been consulted on this point, and he could not state definitely the views of Her Majesty's Government until he had received further information. He might, however, suggest that, apart from the duty it might be decided to accept, an arrangement might be made stipulating, as was done in the case of spirits in the Cobden Treaty with France, that, should the Japanese Government find it necessary at a future time to establish an excise tax, or inland duty, on sugar manufactured in Japan, an increased duty of an equivalent amount might be imposed on British refined sugar.

Viscount Aoki explained that sugar being an article of common consumption in Japan, it would be impossible for his Government to impose a very high rate of duty upon it. For the same reason, also, they could not make it subject to an internal tax.

Mr. Bertie replied that a high Customs duty would destroy the sugar-refining industry of Hong Kong. The arrangement he had suggested would leave Japan free to raise whatever revenue she thought proper, having due regard, of course, to the requirements of her own people.

Viscount Aoki said that one reason which had induced his Government to omit sugar from the new Conventional Tariff was, that if the duty of 20 per cent. *ad valorem*, which had appeared in previous draft Tariffs, were inserted, attention would at once be drawn to it as being a much higher duty than the rates attached to other articles of British importation, and objections would be made.

It was then agreed to go through the Treaty and Protocol, taking in their proper order the various points which had been discussed at previous meetings.

Article I, paragraph 2.

Mr. Bertie said that Her Majesty's Government were willing to waive the insertion, at the end of this paragraph, after the words "native subjects," of the words "or subjects or citizens of the most favoured nation."

Article II, paragraph 2.

Mr. Bertie said that Her Majesty's Government wished to substitute for the words "houses and warehouses" in this paragraph the words "the houses, manufactories, warehouses, shops, and premises which may be necessary for them." These words were clearer than the present wording. They were taken from Article XIII of the Anglo-Italian Treaty of 1883, and as that Treaty had been taken as the model for so many Articles of the present draft Treaty, he did not think the Japanese Government would see any reason to object to the proposed change.

Viscount Aoki said that he would refer the point to his Government.

Article II, last paragraph.

Mr. Bertie suggested that the difficulty which had arisen in regard to this paragraph might be got over by leaving it out, and by substituting in its place, at the end of the preceding paragraph, the words "subject always to the Laws and Regulations of each country," which were taken from the draft Protocol of Lord Salisbury's proposals; or, if the Japanese Government preferred, the words "and they shall be subject to the Laws and Regulations in force," which were used in the 1st Article of the Anglo-Italian Treaty of 1883, might be adopted.

Viscount Aoki said he would refer the proposal to his Government.

Article III. Domiciliary Search.

Viscount Aoki said that his Government agreed to the insertion of the word "manufactories" after the word "dwellings" in the first paragraph. Their consent, he added, was given in the belief that the point covered by the insertion of this word was to be raised only in connection with this Article. Now, however, Her Majesty's Government had raised the same point by their proposed alteration in the second paragraph of Article II.

Mr. Bertie pointed out that the change in Article II to which Viscount Aoki referred was merely a verbal alteration.

Military Service.

Viscount Aoki announced that his Government agreed to the texts of the notes to be exchanged on this subject.

It was decided to leave for future settlement the question as to what place the separate Article regarding military service should take in the Treaty.

Article X. Coasting Trade.

A discussion took place as to the wording of the additional clause to be inserted in this Article, and eventually it was agreed to adopt the form of wording which Viscount Aoki had been instructed by his Government to propose at the meeting of the 25th May, subject to a verbal alteration suggested by Mr. Bertie (see Annex A). The clause, as thus modified, was accepted by Viscount Aoki *ad referendum*.

Article XIII. Surrender of Deserters.

Viscount Aoki stated that his Government accepted the proposal of Her Majesty's Government to substitute for the first paragraph of this Article, as it had stood, Article XVIII of the Anglo-Italian Treaty of 1883, and to retain the second paragraph of the present Article.

Article XIV. Most-favoured-nation Clause.

Mr. Bertie proposed to insert the word "industries" in two places before the words "and navigation," and to substitute the word "commerce" for the word "trade" in the third line from the end.

Viscount Aoki said that the point covered by the proposal to insert the word "industries" had been already raised twice already, namely, in the case of Articles II and III. He deprecated any further alterations being made in this Article, which had been taken word for word from the corresponding Article in the Anglo-Italian Treaty of 1883. If Her Majesty's Government insisted on the proposed changes, it would be necessary for him to refer again to his Government.

Mr. Bertie explained that the alterations proposed were merely of a verbal character, and had been suggested simply in order to secure greater clearness of wording. He presumed that the Japanese Government did not interpret the clause as excluding industries, and on that understanding he would not press the point.

A discussion then arose on the subject of the insertion of the word "ships" in two places in the same Article, an alteration which Mr. Bertie had proposed at the meeting of the 24th April, and the acceptance of which by the Japanese Government Viscount Aoki had announced at the meeting of the 25th May.

Viscount Aoki said that he had been under the impression that the word "ships" was only to be inserted once, namely, in the third line, and not again in the fourth line. He should, he added, be obliged to refer the point to his Government.

It was pointed out to him that the word in question, if inserted at all, must, as a matter of correct wording, appear twice, and he was referred by Mr. Bertie to the Minutes of the meetings at which the subject had been discussed.

Viscount Aoki explained that he was not quite certain as to his instructions on this point. He would look at them again, and, if necessary, ask for authorization to accept the insertion of the word "ships" also in the fourth line.

Article XVI. Patents, &c.

Viscount Aoki, referring to the proposal of Her Majesty's Government for the insertion of a stipulation in the Protocol by which Japan would undertake to join the International Conventions respecting industrial property and copyright, stated that the insertion of this stipulation in the place proposed would necessitate the transfer of this Article from the Treaty to the Protocol.

Mr. Bertie, having referred the point to Mr. Hertslet, explained that the Article in question appeared in our Treaties with several Powers who had joined the International Conventions in question, and that Her Majesty's Government would therefore prefer to retain it in the present Treaty.

Article XVIII. Effect of Treaty.

Mr. Bertie stated that, in view of the Concessions made by the Japanese Government in regard to coasting trade and on the Foreign Settlements question, Her Majesty's Government would not insist on the retention of Article I of Lord Salisbury's proposals, and would accept this Article as it stood.

Article XIX. Duration of Treaty.

Viscount Aoki said that, as he had already announced, his Government were willing to agree to twelve years as the term of the Treaty. The word "seven" in the first paragraph of this Article should, therefore, read "twelve," and the word "six" in the second paragraph should be altered to "eleven."

Protocol. Tariff.

Mr. Bertie proposed that the words "Articles IV and XIV" should be substituted for the words "Article IV" in clause 1, line 5. The reason for the proposed change was this: The stipulation in which the words occurred provided that the new Tariff should, so long as the existing Treaties lasted, be subject to the provisions of Article XXIII (the most-favoured-nation clause) of the Treaty of 1858, and from the date of the operation of the new Treaty should be subject to the provisions of Article IV of that Treaty. Article IV, as Viscount Aoki was aware, provided only for national treatment in regard to imports; it was, therefore, clearly necessary that Article XIV (the most-favoured-nation clause) of the new Treaty should also be mentioned.

The same alteration would be required in the fourth paragraph of the same clause.

Viscount Aoki said that he would refer the proposal to his Government.

Protocol. Tariff. Proposed Stipulation as to Supplementary Convention for conversion of ad valorem into Specific Duties, &c.

Mr. de Bunsen referred Viscount Aoki to their conversation of the previous day. He had then explained that the Board of Trade had suggested various alterations in the draft proposal which Viscount Aoki had handed in at the meeting of the 7th June, and which was intended to take the place of paragraphs 2 and 3 of clause 1 of the Protocol. The wording of the rule inserted in the Tariff for determining the dutiable values on which *ad valorem* duties would be imposed had been adopted. This amended draft he would now place in Viscount Aoki's hands (Annex B).

Viscount Aoki said he had understood during his conversation with Mr. de Bunsen of the previous day the reasons for the changes suggested by the Board of Trade. It only remained for him now to refer the draft, as thus amended, again to his Government.

Protocol. Proposed insertion of new Stipulation to take the place of Clause 2.

Mr. Bertie stated that the technical advisers of Her Majesty's Government had strongly objected to the unusual form of the provisions of Articles XIX and XX, which had reference to the ratification and operation of the Treaty. In order to meet these objections it was proposed to insert in the Protocol a clause (Annex C) providing specially for the unconditional maintenance in all other respects of the stipulations of existing Treaties until the new Treaty came into operation. As it had been agreed that clause 2 of the present draft, which related to foreign Settlements, should be transferred to the Treaty in the form of a separate Article, the new clause proposed might take its place.

Viscount Aoki said that he would refer this proposal to his Government.

Passport Facilities.

Mr. Bertie said it was very necessary that a stipulation on this subject should appear in the Protocol as some equivalent for the Tariff concessions made to Japan.

Viscount Aoki promised to give a definite answer on this point at the next meeting.

Passports. Rules and Regulations.

Mr. de Bunsen asked whether Viscount Aoki was now in a position to explain what were the Rules and Regulations referred to in the draft stipulation communicated by him at the meeting of the 7th May.

Viscount Aoki said that they were the Rules printed on the backs of the passports.

Mr. de Bunsen observed that these Rules were rather out of date, to which Viscount Aoki replied that the matter was one of very slight importance, and that he hoped it might be allowed to pass.

Industrial Property and Copyright.

Referring to the draft of a stipulation to be inserted in the Protocol providing for Japan's adhesion to the International Conventions for the protection of industrial property and copyright, which had been communicated by Mr. Bertie at the previous meeting (see Annex C of meeting of the 7th June), Viscount Aoki said that his Government had instructed him to assent to this draft, on the condition that the words "and to pass Laws giving full effect to these Conventions" were omitted. He explained that the Japanese Government could give effect to their adhesion by issuing an Imperial Decree, and that a reference to legislation might be taken to mean the legislative action of the Diet, and might thus raise questions which it was desired to avoid.

Mr. Bertie replied that he must reserve his answer on this point.

Tariff. Hats.

Mr. de Bunsen referred to a conversation he had had with Viscount Aoki in regard to the inclusion of hats in the new Conventional Tariff. The Board of Trade had returned to the subject, and had suggested that there might be a mistake in the figures which Viscount Aoki had mentioned to him. According to the Returns which they had consulted the annual importation of hats of British manufacture into Japan now amounted in value to 40,000*l.*, and, this being so, they considered that this article of our trade ought, on the principle that the Japanese Government had themselves laid down, to be included in the proposed Conventional Tariff.

Viscount Aoki said he must admit that the statistics he had given were incorrect; he would refer the point again to his Government.

Tariff. Sugar.

Returning to this question Mr. Bertie observed that the Colonial Office attached great importance to the inclusion of sugar in the new Conventional Tariff. He did not suppose that the Japanese Government wished to place differential duties on the products of any British industry; he understood that the object of the new Tariff was to raise revenue, and this might be done by fixing a moderate duty in the first place, and making an arrangement by which this duty might subsequently be increased if an additional excise on sugar were established in Japan.

*Foreign Office,
June 27, 1894.*

Annex (A).

ARTICLE X. *Additional Clause.*

The Japanese Government, however, agrees to allow British vessels to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire; excepting to or from the ports of Osada, Niigata, and Ebisu-minato.

Annex (B).

The *ad valorem* duties established by the said Tariff shall, so far as may be deemed practicable, be converted into specific duties by a Supplementary Convention, which shall be concluded between the two Governments within six months from the date of this Protocol; the actual cost of the articles at the place of purchase, production, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication to the port of discharge, as well as commission, if any, shall be taken as the basis for such conversion.

In the event of the Supplementary Convention not having come into force before the expiration of the period fixed for the said Tariff to take effect, *ad valorem* duties on the above basis shall, in the meantime, be levied.

The Supplementary Convention shall also determine the method by which periodical revisions of the specific duties shall be made by common accord between the two Governments at intervals of four years, such revisions to be based upon the difference in the average prices of the goods valued according to the above basis at the time of making the first conversion and the average prices for the three months immediately preceding any such revision [and also upon the difference in the average rate of foreign exchange for the three calendar months immediately preceding the first conversion of any such rate of duty and the three calendar months immediately preceding any such revision]. But no such revision[s] shall take effect until at least six months after it [they] shall have been published.

Annex (C).

Draft of Clause which Her Majesty's Government propose for insertion in Protocol in place of the present Clause 2.

In all other respects the stipulations of the existing Treaties and Conventions shall be maintained unconditionally until the time when the Treaty of Commerce and Navigation signed this day comes into force.

No. 59.

Memorandum of Interviews held at the Foreign Office on Thursday the 12th and Friday the 13th July, 1894, between Mr. Bertie, Mr. de Bunsen, Viscount Aoki, and Baron von Siebold.

July 12.—Viscount Aoki observed that the demands of Her Majesty's Government in respect of sugar had been received with much surprise by the Japanese Government, who, in making their last Concessions, considered that they were in possession of the entire views of Her Majesty's Government in regard to the Tariff. He said that his Government desired to draw attention to the Tariff presented by the foreign Delegates at the Tôkiô Conference of 1885, which provided for duties of 20 per cent. on refined sugar and 15 per cent. on non-refined sugar.

Japan had wished to propose the following arrangement:—

<i>Sugar, unrefined</i> :—(Japanese standard colours are divided into ten classes, the samples of which are to be provided in the Custom-house of each port)—						
Nos. 1 to 9	..	..	..	..	..	15 per cent.
No. 10	..	..	..	..	..	20
Sugar rock candy (known as Koriza in Japan) ..	..	..	..	..	..	20
Sugar, refined, loaf, lump, crushed, powdered or granulated	..	..	..	..	..	20
Sugar molasses and syrup ..	..	..	..	..	..	15

If Her Majesty's Government would meet the views of Japan respecting sugar, Viscount Aoki was instructed to consent to the inclusion of hats in the Conventional Tariff at a duty of 10 per cent.

Mr. Bertie considered the sugar proposal very prejudicial to the trade of Hong Kong, and, after consultation with Sir R. Meade, informed Viscount Aoki that the Colonial Office objected to it very strongly, and would, if Japan insisted, be obliged to refer to Hong Kong and the leading merchants in the city interested in sugar, thus causing considerable delay in the negotiation without a fair prospect of success in the end.

After the meeting, Viscount Aoki expressed to Mr. Bertie the extreme desire of his Government to have their hands strengthened by the immediate signature of the Treaty, in view of the political state of affairs in Japan, and, in order to hasten on such a desirable result, he would, if the Treaty could be signed on the 14th instant, accept the proposal made by Mr. Bertie at the meeting of the 27th June, to the effect that refined sugar should be inserted in the Conventional Tariff at a duty of 10 per cent., and that any tax which it might be considered necessary at any time to levy on the production or manufacture of refined sugar in Japan might be counter-balanced by an additional duty equivalent to such tax.

Mr. Bertie promised that, if our views were met on other points, an endeavour would be made to prepare the Treaty for signature on the 14th July.

In accordance with the understanding reached at this meeting of the 12th instant and the one held the next day, the Agreement respecting sugar was inserted in the

Protocol, and refined sugar and hats were included in the Conventional Tariff at a 10 per cent. duty.

The meeting of the 12th July proceeded as follows :—

Article II. Paragraph 2.

The Japanese Government agrees to replace the words “houses and warehouses” by the words “the houses, manufactories, warehouses, shops, and premises which may be necessary for them.”

It was agreed that the last paragraph of Article I should be entitled Article II. The Article in which the above verbal correction was made became therefore Article III, and the remaining Articles were numbered consecutively, the new Article respecting foreign Settlements becoming Article XVIII.

At the end of the new Article III it was agreed to omit the last paragraph and to conclude the preceding paragraph as follows: “Subjects or citizens of the most favoured nation, subject always to the Laws, Ordinances, and Regulations of each country.”

Article XI (formerly X).

Japan accepts proposed final paragraph as follows :—

“The Japanese Government, however, agree to allow British vessels to continue, as heretofore, for the period of the duration of the Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisu-minato.”

Article XV (formerly XIV).

The word “ships” to be inserted after the word “Government” in two places.

Article XVIII. Respecting foreign Settlements.

Parenthesis inclosing the words “the same” to be omitted.

Article XXII (formerly XX).

To meet the wishes of the Japanese Government, it was agreed that words should be inserted to show the readiness of Her Majesty’s Government to ratify before the expiration of six months after the signature if possible.

The wording finally adopted at a meeting held on the 13th July was as follows :—

“The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Tôkiô as soon as possible, and not later than six months from the present date.”

Viscount Aoki raised the question of signing a Japanese text as well as an English text of the Treaty. Mr. Bertie objected, and, after consulting Lord Kimberley, informed Viscount Aoki that Her Majesty’s Government could not agree to a Japanese text, which would lead to disputed interpretations. The point was dropped.

Protocol.

Viscount Aoki agreed finally to the insertion of the paragraph respecting passport facilities.

In two places in clause 1 the words “Article IV” to be replaced by the words “Articles V and XV.”

The paragraphs respecting the Supplementary Convention for the conversion of duties next came under discussion, and Viscount Aoki reverted to the wording originally proposed, to the effect that the Japanese Customs Returns should be taken as the basis of conversion, with the addition of the cost of transport, insurance, &c. He added that his Government desired to give up the sentence providing for periodical revision.

The Board of Trade was consulted, and at the meeting held the following day (13th July), Mr. Bateman being present and consenting, it was agreed to accept the following text :—

“The *ad valorem* duties established by the said Tariff shall, so far as may be deemed practicable, be converted into specific duties by a Supplementary Convention, which

shall be concluded between the two Governments within six months from the date of this Protocol; the medium prices, as shown by the Japanese Customs Returns during the six calendar months preceding the date of the present Protocol, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication, to the port of discharge, as well as commission, if any, shall be taken as the basis for such conversion. In the event of the Supplementary Convention not having come into force before the expiration of the period fixed for the said Tariff to take effect, *ad valorem* duties in conformity with the rule recited at the end of the said Tariff shall, in the meantime, be levied."

Mr. Bateman withdrew the objections of the Board of Trade on the strength of a Declaration formally handed in by Viscount Aoki, and designed to show that the values upon which the Japanese Customs Returns are compiled are the values as shown by the invoices.

The Declaration was in the following words:—

The Undersigned has no hesitation to declare—

"1. That the prices which served as a basis to the Conventional Tariff of 1866 are not the prices which are adopted since in the Custom-house Statistics as the medium price of the imports.

"2. That the Custom-house Statistics are made up on the contrary on actual documentary evidence which is at their disposal, and represent the average *original* prices, without the addition of insurance, transport, and commission.

"3. The Regulations under which British trade is to be conducted in Japan (Treaty of the 26th August, 1858) contain the following at the end of Article III:—

" "On each entry the owner or consignee shall certify in writing that the entry then presented exhibits the actual cost of the goods, and that nothing has been concealed whereby the customs of Japan would be defrauded, and the owner or consignee shall sign his name to such certificate.

" "The *original invoice* or *invoices* of the goods so entered shall be presented to the Custom-house authorities, and shall remain in their possession until they have examined the goods contained in the entry."

"The Undersigned is not aware that any subsequent arrangement has altered the principle of the production to the Custom-house of the *original invoices*, and it is his impression that these documents serve as material for the Custom-house Statistics which the Imperial Government wishes to adopt as basis.

"The Austrian-Hungarian Treaty of the 18th October, 1869, contains the same stipulations, and it will be remembered that the Conference of Tôkiô for the Revision of the Treaties, 1882, accepted this Treaty as the model Treaty on which the revision was to be based.

(Signed) "AOKI.

"*Japanese Legation, London,*

"*July 13, 1894.*"

The clauses of the Protocol were then numbered as follows:—

1. Tariff clause (to conclude with the stipulation for continuance of existing Treaties, &c., until the new Treaty comes into force, which was accepted by Viscount Aoki).

2. Passport clause.

3. Clause binding Japan to join the Industrial Property and Copyright Conventions, as to which Mr. Bertie agreed to omit the concluding words "and to pass laws giving full effect to these Conventions," which Japan objected to as unnecessary and superfluous.

4. Sugar clause.

5. Clause providing that no further ratification shall be necessary.

No. 60.

Memorandum by Viscount Aoki.

THE Undersigned having on the 29th June, 1894, telegraphed to his Government as follows:—

"Board of Trade want to replace the words Japanese Customs 'Returns' by the words 'average prices,' because they say that these Returns already include the amounts for insurance, transport, &c.";

The Undersigned received the following answer on the 11th July, 1894:—

“You can assure British Government that Customs Returns do not include insurance, transportation, or commissions; they contain original values only as prescribed in Tariff Convention, 1866. Customs Returns much better and more constant basis than average prices.”

With reference to this the Undersigned has no hesitation to declare:—

1. That the prices which served as a basis to the Conventional Tariff of 1866 are not the prices which are adopted since in the Custom-house Statistics as the medium price of the imports.

2. That the Custom-house Statistics are made up on the contrary on actual documentary evidence which is at their disposal, and represent the average *original* prices, without the addition of insurance, transport, and commission.

3. The Regulations under which British trade is to be conducted in Japan (Treaty of the 26th August, 1858) contain the following at the end of Article III:—

“On each entry the owner or consignee shall certify in writing that the entry then presented exhibits the actual cost of the goods, and that nothing has been concealed whereby the Customs of Japan would be defrauded, and the owner or consignee shall sign his name to such certificate.

“The *original invoice* or *invoices* of the goods so entered shall be presented to the Custom-house authorities, and shall remain in their possession until they have examined the goods contained in the entry.”

The Undersigned is not aware that any subsequent arrangement has altered the principle of the production to the Custom-house of the *original invoices*, and it is his impression that these documents serve as material for the Custom-house Statistics which the Imperial Government wishes to adopt as basis.

The Austrian-Hungarian Treaty of the 18th October, 1869, contains the same stipulations, and it will be remembered that the Conference of Tôkiô for the Revision of the Treaties, 1882, accepted this Treaty as the model Treaty on which the revision was to be based.

(Signed) AOKI.

*Japanese Legation, London,
July 13, 1894.*

No. 61.

*Treaty of Commerce and Navigation between Great Britain and Japan, signed at London,
July 16, 1894.*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable John, Earl of Kimberley, Knight of the Most Noble Order of the Garter, &c., &c., Her Britannic Majesty's Secretary of State for Foreign Affairs;

And His Majesty the Emperor of Japan, Viscount Aoki Siuzo, Junii, first class of the Imperial Order of the Sacred Treasure, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of St. James';

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate, by will or otherwise, and the disposal of property of any sort in any manner whatsoever which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the dominions and possessions of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured nation. The subjects of each of the Contracting Parties shall enjoy in the dominions and possessions of the other entire liberty of conscience, and, subject to the Laws, Ordinances, and Regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen, according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation.

ARTICLE II.

The subjects of either of the Contracting Parties residing in the dominions and possessions of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, National Guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

ARTICLE III.

There shall be reciprocal freedom of commerce and navigation between the dominions and possessions of the two High Contracting Parties.

The subjects of each of the High Contracting Parties may trade in any part of the dominions and possessions of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly, or in partnerships with foreigners or native subjects; and they may there own or hire and occupy the houses, manufactories, warehouses, shops, and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the Laws, Police and Customs Regulations of the country like native subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the dominions and possessions of the other which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured nation, without having to pay taxes, imposts, or duties, of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured nation, subject always to the Laws, Ordinances, and Regulations of each country.

ARTICLE IV.

The dwellings, manufactories, warehouses, and shops of the subjects of each of the High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the Laws, Ordinances, and Regulations for subjects of the country.

ARTICLE V.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the High Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

ARTICLE VI.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country.

ARTICLE VII.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE VIII.

All articles which are or may be legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and reciprocally, all articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid and the same bounties and drawbacks allowed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese or in British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

ARTICLE IX.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, shall be imposed in the ports of the

dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE X.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE XI.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the Laws, Ordinances, and Regulations of Japan and of Great Britain respectively. It is, however, understood that Japanese subjects in the dominions and possessions of Her Britannic Majesty, and British subjects in the dominions and possessions of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are or may be granted under such Laws, Ordinances, and Regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Britannic Majesty, and a British vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the Laws and Custom-house Regulations of the two countries.

The Japanese Government, however, agrees to allow British vessels to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisu-minato.

ARTICLE XII.

Any ship of war or merchant-vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the district of the occurrence, or if there be no such Consular officer, they shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of Her Britannic Majesty shall take place in accordance with the Laws, Ordinances, and Regulations of Great Britain, and reciprocally, all measures of salvage relative to British vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance with the Laws, Ordinances, and Regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or

vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

ARTICLE XIII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to British law, are to be deemed British vessels, shall, for the purposes of this Treaty, be deemed Japanese and British vessels respectively.

ARTICLE XIV.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place.

ARTICLE XV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour, or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, ships, subjects, or citizens of any other State, shall be extended immediately and unconditionally to the Government, ships, subjects, or citizens of the other Contracting Party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE XVI.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are, or may hereafter be, granted to Consular officers of the most favoured nation.

ARTICLE XVII.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE XVIII.

Her Britannic Majesty's Government, so far as they are concerned, give their consent to the following arrangement:—

The several foreign Settlements in Japan shall be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements, shall at the same time be transferred to the said Japanese authorities.

When such incorporation takes place the existing leases in perpetuity under which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular authorities mentioned in the same are in all cases to be replaced by the Japanese authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

ARTICLE XIX.

The stipulations of the present Treaty shall be applicable, so far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's Representative at Tòkiò within two years from the date of the exchange of ratifications of the present Treaty.

ARTICLE XX.

The present Treaty shall, from the date it comes into force, be substituted in place of the Conventions respectively of the 23rd day of the 8th month of the 7th year of Kayei, corresponding to the 14th day of October, 1854, and of the 13th day of the 5th month of the 2nd year of Keiou, corresponding to the 25th day of June, 1866, the Treaty of the 18th day of the 7th month of the 5th year of Ansei, corresponding to the 26th day of August, 1858, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Conventions, Treaty, Arrangements, and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by British Courts in Japan, and all the exceptional privileges, exemptions, and immunities then enjoyed by British subjects as a part of or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

ARTICLE XXI.

The present Treaty shall not take effect until at least five years after its signature. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to Her Britannic Majesty's Government of its wish to have the same brought into operation. Such notice may be given at any time after the expiration of four years from the date hereof. The Treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

ARTICLE XXII.

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Tôkiô as soon as possible, and not later than six months from the present date.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at London, in duplicate, this sixteenth day of July, in the year of our Lord one thousand eight hundred and ninety-four.

(L.S.)	KIMBERLEY.
(L.S.)	AOKI.

Protocol signed at London, July 16, 1894.

THE Government of Her Majesty the Queen of Great Britain and Ireland and Empress of India, and the Government of His Majesty the Emperor of Japan, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations:—

1. It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import Tariff hereunto annexed shall, subject to the provisions of Article XXIII of the Treaty of 1858 at present subsisting between the Contracting Parties, as long as the said Treaty remains in force and thereafter, subject to the provisions of Articles V and XV of the Treaty signed this day, be applicable to the articles therein enumerated, being the growth, produce, or manufacture of the dominions and possessions of Her Britannic Majesty, upon importation into Japan. But nothing contained in this Protocol, or the Tariff hereunto annexed, shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food, or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs, or any other indecent or obscene articles; articles in violation of patent, trade-mark, or copyright laws of Japan; or any other article which for sanitary reasons, or in view of public security or morals, might offer any danger.

The *ad valorem* duties established by the said Tariff shall, so far as may be deemed practicable, be converted into specific duties by a Supplementary Convention, which shall be concluded between the two Governments within six months from the date of this Protocol; the medium prices, as shown by the Japanese Customs Returns during the six calendar months preceding the date of the present Protocol, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication, to the port of discharge, as well as commission, if any, shall be taken as the basis for such conversion. In the event of the Supplementary Convention not having come into force before the expiration of the period fixed for the said Tariff

to take effect, *ad valorem* duties in conformity with the rule recited at the end of the said Tariff shall, in the meantime, be levied.

In respect of articles not enumerated in the said Tariff, the General Statutory Tariff of Japan for the time being in force shall, from the same time, apply, subject, as aforesaid, to the provisions of Article XXIII of the Treaty of 1858 and Articles V and XV of the Treaty signed this day respectively.

From the date the Tariffs aforesaid take effect, the Import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by British subjects shall cease to be binding.

In all other respects the stipulations of the existing Treaties and Conventions shall be maintained unconditionally until the time when the Treaty of Commerce and Navigation signed this day comes into force.

2. The Japanese Government, pending the opening of the country to British subjects, agrees to extend the existing passport system in such a manner as to allow British subjects, on the production of a certificate of recommendation from the British Representative in Tôkiô, or from any of Her Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tôkiô, or from the chief authorities in the Prefecture in which an open port is situated; it being understood that the existing Rules and Regulations governing British subjects who visit the interior of the Empire are to be maintained.

3. The Japanese Government undertakes, before the cessation of British Consular jurisdiction in Japan, to join the International Conventions for the Protection of Industrial Property and Copyright.

4. It is understood between the two High Contracting Parties that, if Japan think it necessary at any time to levy an additional duty on the production or manufacture of refined sugar in Japan, an increased customs duty equivalent in amount may be levied on British refined sugar when imported into Japan, so long as such additional excise tax or inland duty continues to be raised.

Provided always that British refined sugar shall in this respect be entitled to the treatment accorded to refined sugar being the produce or manufacture of the most favoured nation.

5. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is also agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London, in duplicate, this sixteenth day of July, in the year of our Lord one thousand eight hundred and ninety-four.

(L.S.)

KIMBERLEY.

(L.S.)

AOKI.

Annex. (Tariff.)

Articles.						<i>Ad valorem</i> Rates of Duty.
						Per cent.
Caoutchouk, manufactures of.	..	..	..	..	..	10
Cement, Portland	..	..	..	..	..	5
Cotton—						
Yarns	..	..	..	..	..	8
Tissues of all sorts, plain or mixed with tissues of flax, hemp, or other fibre, including wool, the cotton, however, predominating	..	..	..	..	..	10
Glass, window, ordinary—						
(a.) Uncoloured and unstained	..	..	..	..	..	8
(b.) Coloured, stained, or ground	..	..	..	..	..	10
Hats, including also hats of felt	..	..	..	..	..	10
Indigo, dry	..	..	..	..	..	10
Iron and steel—						
Pig and ingot	..	..	..	..	..	5
Rails	..	..	..	..	..	5
Bar, rod, plate, and sheet	..	..	..	..	..	7½
Tinned plates	..	..	..	..	..	10
Galvanized sheet	..	..	..	..	..	10
Pipes and tubes	..	..	..	..	..	10
Lead, pig, ingot, and slab	..	..	..	..	..	5
Leather—						
Sole	..	..	..	..	..	15
Other kinds	..	..	..	..	..	10
Linen—						
Yarns	..	..	..	..	..	8
Tissues	..	..	..	..	..	10
Mercury or quicksilver	..	..	..	..	..	5
Milk, condensed or desiccated	..	..	..	..	..	5
Nails, iron	..	..	..	..	..	10
Oil, paraffin	..	..	..	..	..	10
Paint in oil	..	..	..	..	..	10
Paper, printing	..	..	..	..	..	10
Refined sugar	..	..	..	..	..	10
Saltpetre	..	..	..	..	..	5
Screws, bolts, and nuts, iron	..	..	..	..	..	10
Silk, satins, and silk and cotton mixtures	..	..	..	..	..	15
Tin—						
Block, pig, and slab	..	..	..	..	..	5
Plates	..	..	..	..	..	10
Wax, paraffin	..	..	..	..	..	5
Wire—						
Telegraph	..	..	..	..	..	5
Iron and steel, and small rod iron and steel not exceeding ¼ inch in diameter	..	..	..	..	..	10
Woollen and worsted—						
Yarns	..	..	..	..	..	8
Tissues of all sorts, plain or mixed with other material, the wool, however, predominating	..	..	..	..	..	10
Yarns of all sorts, not specially provided for	..	..	..	..	..	10
Zinc—						
Block, pig, and slab	..	..	..	..	..	5
Sheet	..	..	..	..	..	7½

Rule for calculating ad valorem Duties.

Import duties payable *ad valorem* under this Tariff shall be calculated on the actual cost of the articles at the place of purchase, production, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication, to the port of discharge, as well as commission, if any exists.

The Earl of Kimberley to Viscount Aoki.

Sir,

Foreign Office, July 16, 1894.

WITH reference to Article XIX of the Treaty between Great Britain and Japan signed this day, in view of the fact that some of the British Colonies and foreign possessions enumerated in that Article might be prevented from acceding to the present Treaty by reason of their inability to accept the stipulations relating to

military service contained in Article II of the said Treaty, and in order to avoid future misunderstandings, Her Majesty's Government request from the Government of Japan an assurance that any of the said British Colonies and possessions may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article II.

I have, &c.
(Signed) KIMBERLEY.

Viscount Aoki to the Earl of Kimberley.

M. le Comte,

Japanese Legation, London, July 16, 1894.

IN reply to the note of Her Majesty's Government, referring to Article XIX of the Treaty between Great Britain and Japan signed this day, and requesting, for the reasons given in the said note, an assurance that any of the British Colonies and foreign possessions enumerated in that Article may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article II, the Government of Japan hereby give the assurance desired.

I have, &c.
(Signed) AOKI.

Viscount Aoki to the Earl of Kimberley.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Japan, in virtue of special authorization from His Imperial Japanese Majesty's Government, has the honour to announce to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs that the Imperial Japanese Government, recognizing the advantage of having the Codes of the Empire which have already been promulgated in actual operation when the Treaty stipulations at present subsisting between the Government of Japan and that of Great Britain cease to be binding, engage not to give the notice provided for by the first paragraph of Article XXI of the Treaty of Commerce and Navigation, signed this day, until those portions of said Codes which are now in abeyance are brought into actual force.

The Undersigned avails himself of this opportunity to renew to the Earl of Kimberley the assurance of his highest consideration.

(Signed) AOKI.

*Japanese Legation, London,
July 16, 1894.*

No. 62.

Viscount Aoki to the Earl of Kimberley.—(Received July 19.)

Japanese Legation, London, July 18, 1894.

THE Undersigned, His Imperial Majesty's Envoy Extraordinary and Minister Plenipotentiary, has received the instructions of his Government to convey to the Right Honourable the Earl of Kimberley, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, the expression of his Government's feelings of high appreciation of the good-will shown by Her Britannic Majesty's Government in the conclusion of the new Treaty of Commerce and Navigation.

The Undersigned begs, at the same time, leave to add his personal thanks for the enlightened and conciliatory manner in which his Lordship has been so good to promote the accomplishment of the object in view. He feels also greatly indebted to the Honourable Mr. Bertie, assisted by Mr. de Bunsen and Mr. Gubbins, as well as to the other officials of the Foreign Office, who displayed the greatest courtesy, tact, and judgment in bringing about a satisfactory conclusion of the negotiation.

The Treaty opens to Japan a new era in her foreign relations, for it proclaims for the first time its full and legitimate reception into the fellowship of nations. To

Great Britain it signifies free access to the whole interior of the Japanese Empire on the usual terms of European international intercourse.

The Undersigned sincerely trusts that the establishment of close relations between the respective subjects contemplated by the new arrangement will not only serve the object of developing reciprocally the material interests of commerce and navigation, but also become the means of establishing ties of friendship and mutual sympathy between the two nations.

The Undersigned avails himself of this opportunity to express to his Lordship the renewed assurance of his highest consideration.

(Signed) AOKI.

No. 63.

The Earl of Kimberley to Mr. Paget.

Sir,

Foreign Office, July 23, 1894.

I TRANSMIT to you herewith a Treaty of Commerce and Navigation which I signed on the 16th instant with Viscount Aoki, the Japanese Minister.

It is founded upon the draft Treaty communicated to Her Majesty's Government by Viscount Aoki on the 27th December last, which was itself described by the Japanese Government as a modification of the Marquis of Salisbury's proposals of the year 1890.

The following are the principal provisions of the Treaty:—

Under Article XXI its operation is delayed till the summer of the year 1899 at the earliest. One year's notice on the part of the Japanese Government is required to bring it into operation, but, by a formal declaration bearing the same date as the Treaty, and likewise inclosed in copy, Japan is precluded from giving such notice until those portions of her new Codes which are still in abeyance shall be put in force. In any case, she cannot give the notice till the summer of 1898.

British Consular jurisdiction is to cease with the commencement of the Treaty (Article XX). The foreign Settlements are then to be merged into the general municipal system of the country (Article XVIII). Existing leases in perpetuity, however, are to be confirmed, and the lands previously granted by the Japanese Government free of rent for the public purposes of the Settlements are to continue to serve the same end, free of all taxes and charges.

Article I declares both countries open to travel and residence, and grants free and easy access to the Courts of Justice, and the right of public or private worship, together with national or most-favoured-nation treatment in respect of travel and residence, possession of goods, succession to personal estate, disposal of property, and taxation.

Most favoured treatment is further conferred by Article XV in respect of commerce and navigation in general, and by other articles in respect of imports, exports, tonnage, and other shipping dues, the coasting trade, &c.

As regards warehousing, bounties, drawbacks, shipping facilities, patents, trade-marks, &c., British subjects are to enjoy the same rights and privileges as Japanese subjects, and *vice versâ* (Articles VII, VIII, XVII, &c.).

By Article II British subjects are exempted from military service in Japan, and, although certain of Her Majesty's Colonies are by their legislation precluded from promising a corresponding exemption to Japanese subjects, it is agreed by an exchange of notes that such Colonies may nevertheless accede to the present Treaty under Article XIX in the same way as the other specified Colonies and India. Copies of the notes are inclosed.

Freedom of commerce and navigation is secured by Article III, and foreign houses are by Article IV protected from search and domiciliary visits except according to law.

Under Article XIV British Consular officers in Japan may demand from the local authorities such assistance as the law permits for the recovery of seamen deserters from British vessels.

Article XII deals with wrecks and salvage.

The duration of the Treaty is fixed at a minimum of twelve years from the date it goes into operation (Article XXI).

The ratifications are to be exchanged at Tôkiô as soon as possible, and not later than six months from the date of signature.

I transmit to you further a Protocol, also signed on the 16th instant, the provisions of which are to be considered as approved from the date of the ratification of the Treaty (see clause 5).

Under clause 1 the Tariff annexed to the Protocol would come into operation one month later if, in the meantime, the other Treaty Powers should signify their assent to it. But British merchants are fully protected by Article XV of the Treaty against the imposition of any less favourable duties than those which are levied in the case of other Powers.

The articles included in the annexed Conventional Tariff will be subject, when it becomes applicable, to a duty varying from 5 to 15 per cent. *ad valorem*.

In respect of all other articles, Japan may impose the duties of her General Statutory Tariff, subject always to the operation of the most-favoured-nation clauses of the Treaty in force at the time.

Clause 1 provides further for the conversion of the *ad valorem* duties established by the Conventional Tariff into specific duties by means of a Supplementary Convention, to be concluded within six months of the date of the Protocol.

Under clause 2, increased passport facilities are granted by Japan to British subjects pending the full operation of the Treaty.

Clause 3 binds Japan to join the International Conventions for the protection of industrial property and copyright before the cessation of British Consular jurisdiction.

Clause 4 provides that a customs duty over and above the duty of 10 per cent. fixed by the Conventional Tariff may be levied in respect of British refined sugar, to the extent of any additional excise or inland duty which the Japanese Government may see fit to levy at any time upon the production or manufacture of refined sugar in Japan.

Printed copies of the Treaty and Protocol are inclosed.

I am, &c.
(Signed) KIMBERLEY.

No. 64.

Mr. Paget to the Earl of Kimberley.—(Received July 26.)

My Lord,

Tókió, June 10, 1894.

I HAVE the honour to inclose herewith an account of the proceedings of the Sixth Session of the Japanese Diet. The House of Representatives was dissolved on the 2nd instant.

I have, &c.
(Signed) R. S. PAGET.

Inclosure in No. 64.

Memorandum.

(Extract.)

ON the 16th May, in the Lower Chamber, the Premier (Count Ito) delivered a speech on the subject of Treaty revision, of which the following, taken with slight corrections from the "Japan Mail," is a translation:—

"Gentlemen,—Having been returned to the Diet at the last general election, you have been summoned by Imperial Writ to meet together in the present Session. Important measures of State, namely, a Supplementary Budget and various Projects of Law, have already been placed in your hands, in accordance with the Imperial commands. I hope that you will bestow most deliberate consideration upon these measures.

"I purpose, Gentlemen, to avail myself of this opportunity to say a few words on the Government's attitude with respect to Treaty revision. As you may be aware, the Government's policy on this subject has never changed since the time of the restoration. (Cries of 'No, no,' and various remarks.) I beg that you will reserve criticisms until I have finished my speech. It is scarcely necessary to state that the Government has repeatedly attempted to solve this problem, and has repeatedly failed to attain its object. But, in spite of failure, the Government is still pursuing the same line of policy followed in former years.

"It is a matter of deep regret that the dissolution of the late House of Representatives was connected with this subject of Treaty revision. (Cries of 'Misunderstanding.') It is a fact that there was a difference of views between the Government and the House of Representatives, and the consequent dissolution of the House was principally attributable to the introduction of a representation on the strict enforcement of the Treaties. In itself, that representation seemed to be of slight consequence; but the Government attached much importance to it, because it owed its origin to a movement against the opening of the interior for mixed residence. ('No, no.') To that representation, therefore, the Government was positively opposed. Its passage through the House was considered by the Government as likely to be productive of highly injurious results. ('Explain yourself more fully.') The Government is now conducting negotiations on the subject of Treaty revision along the lines hitherto pursued. ('No hope of success.') The Government, let me assure you, would not have undertaken the task had there not been hope of success. In introducing the representation already alluded to, you must doubtless have had good reasons for your conduct; and although the Government was sincerely sorry to bring things to a crisis, it was absolutely necessary, under the circumstances, to advise the Emperor to dissolve the House of Representatives. But I am now glad to learn directly from you that you were not actuated by any sentiments antagonistic to the opening of the country for mixed residence. You will, then, be ready to acknowledge that the demand for the conclusion of equal Treaties and the opposition to mixed residence are incompatible. The Government's policy, as you well know, has always been since the restoration to open the country and maintain the Empire's independent position within the pale of international law. In other words, our aim has been and is to hold intercourse with other nations by conforming with the customs prevalent among the principal States of the world.

"The existing Treaties are unsuited to the present state of things, and must be revised. If my information is not wrong, some of you seem to regard strict enforcement as a means of expediting Treaty revision. The Government, however, does not indorse such a view. Of course, the Government is strictly enforcing the provisions of the present Treaties in so far as their enforcement is deemed necessary.

"But the Government's gravest responsibility in connection with the policy of the country is to accomplish the revision of the existing Treaties. The Government is now diligently engaged in the prosecution of that task, and is determined to sweep every obstacle out of its path. ('Be brave with foreign countries, not with your own countrymen only.') The Government is perfectly aware that its views may not be acceptable to you, but I think it not altogether unnecessary to lay my opinion on the subject before you, and appeal to your candid judgment. In any case, it is the intention of the Government now as ever to accomplish their purpose of revising the Treaties, and we are confident that the consummation of our object is not far off. We will abide by the result of our endeavours on the question of Treaty revision. It is, then, the Government's earnest desire that, in view of these circumstances, you will for the present desist from purely political agitation. There are among you not a few well acquainted with diplomatic affairs. Such persons no doubt will agree with me when I say that revision of the Treaties cannot be accomplished merely by means of intimidation. It must proceed by negotiation between the parties concerned. In the opinion of the Government, the repeated entering upon fresh negotiations cannot continue, and this time it is their firm resolution to bring the task to a happy issue. And I wish to call your attention to the fact that it is extremely regrettable to occasion frequent collisions between the Government and the Diet on a subject like the present. ('We are compelled to oppose the Government.') I am informed that you are going to debate an Address to the Throne on this matter. In that case another collision will be unavoidable, and it will again be impossible to dispose of the question of the national defences and other measures of vital importance. For such a regrettable contingency you cannot but be held responsible. I earnestly hope that you will not compel the Government to advise His Imperial Majesty to adopt the last resource. ('Mr. President, stop the Premier's speech; it is intimidation. We are not assembled here to listen to the Cabinet's intimidation.') I do not seek to intimidate you; my only purpose has been to bespeak your sober and candid deliberation."

Several Members rose to interpellate the Premier, but Count Ito requesting that all questions might be presented in the usual manner, *i.e.*, in writing, left the House. Two Members, acting on this suggestion, drew up questions asking the Government's intentions on various points connected with Treaty revision, such as judicial autonomy, mixed residence, denunciation, and in particular as to the new Tariff, whether it would be Conventional, and whether the Diet's consent would be sought to it; but the Minister

for Foreign Affairs briefly replied that to give information at the present stage would be at once impolitic and contrary to international usage. On receipt of this reply, the House, feeling the necessity of placing on record its views with regard to the submission for the Diet's approval of the new Tariff, passed almost unanimously the following Resolution:—

“The conclusion of Treaties is among the Imperial prerogatives; nevertheless, matters connected therewith that call for the enactment of new laws, or matters relating to a change of taxation, require the consent of the Imperial Diet according to the provisions of Articles 5, 37, 62, and 63 of the Constitution.”

On the 22nd May a representation to the Government relating to Treaty revision, introduced by a member of the Radical party, was debated. This representation, the intention of which, as one speaker said, and as the mover admitted, may be summed up in the words “revision or denunciation,” read as follows:—

“Whereas the urgent importance of Treaty revision is an indisputable fact, and whereas those intrusted with the direction of the country's foreign policy have repeatedly failed to accomplish revision, so that it remains to this day unachieved, to the great regret of the entire nation: therefore, this House resolves that the Government should, with all expedition, carry the work of revision to completion, in accordance with the views contained in the House of Representatives' Address to the Throne passed in the Fourth Session; and further, that if any foreign State refuses to negotiate a Treaty on equal terms, the Government should adopt decisive measures toward that country.”

The Six Sections, in opposing this representation, were actuated probably by purely party considerations, but their opposition was ostensibly grounded on the inconsistency of addressing Ministers, generally discredited as weak and vacillating, in language implying a certain confidence in their ability to adopt a strong policy. One Member made an insinuation (which has been since echoed in the “Kokkai” newspaper) that the representation was introduced at the instance of the Minister for Foreign Affairs with a view to strengthening the hands of the Government, but the suggestion was received with indignation and ridicule by the Radical Members. On a division the numbers were 140 for, 150 against, the representation.

The following is the text of a question put in the House, and of the Government's answer, with reference to the abolition of Consular jurisdiction and the granting of mixed residence in the case of Hawaiian subjects in Japan:—

“Question relating to Imperial Ordinance No. 41, 1894.”

“1. Is the Imperial Ordinance No. 41 of the present year, proclaiming the abolition of Consular jurisdiction in the case of Hawaiian citizens, and the grant to them of the privilege of mixed residence, the result of mutual agreement between the Governments of the two countries? Has the privilege of mixed residence been granted conditionally on the abolition of Consular jurisdiction, or has it been granted as a consequence of the abolition of such jurisdiction? What were the manner in which and the reasons for which this arrangement was effected?”

“2. Japan can, of her pleasure, either grant or withhold the privilege of mixed residence. For what reason has it been granted in the case of Hawaiians, without any limitations, and without recovering Tariff autonomy in accordance with the Address to the Throne presented in the Fourth Session of the Diet?”

“3. The grant of mixed residence should properly be effected by means of either a Treaty or a Law. Why has it been granted in the present instance by means of an Imperial Ordinance?”

“The above question is introduced in accordance with Article 48 of the Law of the Houses, and a speedy answer thereto is expected.

(Introducer)

“NODE SHOZABURO.

(Supporters)

“KAWASHIMA JUN.

(And 38 others.)

“Dated May 24, 1894.”

“Answer to Mr. Node Shozaburo's Question relating to Imperial Ordinance No. 41 of 1894.”

“1. It was, of course, the result of mutual agreement between the Governments of the two countries concerned that the Imperial Government, by Imperial Ordinance No. 41 of the 12th April of the present year, abolished the provisions relating to Consular jurisdiction in the Treaty concluded with the Hawaiian Government on the 4th day of

the 7th month of the 4th year of Meiji (19th August, 1871), at the same time giving permission to Hawaiian residents in the Empire to live and travel and engage in business or any other lawful occupation in any part of the country within the limits of Laws and Ordinances. As to the privilege of mixed residence, it was granted to Hawaiians not as a condition of the abolition of Consular jurisdiction, but as the consequence thereof. When the Hawaiian Government consented to the abolition of Consular jurisdiction in this country, it followed as a natural consequence that Hawaiian residents should, in accordance with Article II of the existing Treaty between the two countries, be entitled to the same treatment as the subjects or citizens of Treaty Powers which do not maintain unequal stipulations in respect of Consular jurisdiction, Tariff Regulations, and so forth. In other words, Hawaiian residents are to be treated in the same way as the citizens of Mexico.

"2. The Treaty with Hawaii does not contain any special stipulation on the subject of Tariff, and consequently there is not any necessity for replying to that portion of the question relating to the recovery of Tariff autonomy. With regard to mixed residence, Hawaiian residents being, as stated in the foregoing paragraph, entitled to the same treatment as Mexican citizens, there is no necessity to provide in the case of the former any limitations beyond those specified in the case of the latter.

"3. The grant of mixed residence to Hawaiian residents was, as already stated, due to the provisions of Article II of the Treaty with Hawaii, which places Hawaiians in the same position as Mexican citizens. And this arrangement having been effected as the result of the abolition of Consular jurisdiction by the mutual consent of the Governments of the two countries, it was but proper that the fact was promulgated by an Imperial Ordinance.

"The above answer is hereby submitted.

(Signed)

"MUTSU MUNEMITSU,

"Minister of State for Foreign Affairs.

"Dated May 30, 1894."

No. 65.

The Earl of Kimberley to Viscount Aoki.

Sir,

Foreign Office, July 27, 1894.

I HAVE had the honour to receive your note of the 18th instant, expressing the pleasure of your Government at the conclusion of the new Treaty of Commerce and Navigation signed on the 16th instant, and offering their acknowledgments for this evidence of the good-will felt towards Japan by this country.

Her Majesty's Government fully share the satisfaction felt by your Government at the signature of the Treaty, and they trust that it may tend to bind more closely the ties of cordial friendship which already unite the two nations.

They have watched with interest and sympathy the rapid progress of Japanese political institutions in recent years, and they will be gratified to see Japan drawn into closer union with the Western Powers by the conclusion of similar Treaties with other countries.

I am, &c.

(Signed)

KIMBERLEY.

No. 66.

Colonial Office to Foreign Office.—(Received July 31.)

Sir,

Downing Street, July 31, 1894.

I AM directed by the Marquis of Ripon to acknowledge the receipt of your letter of the 20th instant, inclosing copies of the new Commercial Treaty with Japan, together with the Protocol and explanatory documents, and I am to request to be furnished after ratification of the Treaty with 200 copies of each of these documents for transmission to the Colonies.

I am to take this opportunity of conveying his Lordship's thanks to the Earl of Kimberley for the action taken in the interests of the Hong Kong sugar refiners with respect to the duty on refined sugar.

I am, &c.

(Signed)

JOHN BRAMSTON.

No. 67.

Admiralty to Foreign Office.—(Received August 2.)

Sir,

Admiralty, July 31, 1894.

WITH reference to your letter of the 23rd instant, relative to the new Treaty with Japan, in which it is stipulated that Her Majesty's Consuls in that country shall be entitled to obtain from the Japanese authorities such assistance as the law permits for the recovery of deserters from British vessels, I am commanded by my Lords Commissioners of the Admiralty to request that you will express to the Secretary of State for Foreign Affairs their appreciation of the consideration given by the Foreign Office to the interests of the Naval Service.

I am, &c.

(Signed) R. D. AWDRY.

No. 68.

Viscount Aoki to the Earl of Kimberley.—(Received August 3.)

WITH respect to the Supplementary Convention which, in conformity with the Protocol of the Treaty signed on the 16th ultimo, was to be concluded between the two Governments within six months of the above-named date, the Undersigned has received instructions to inform Her Britannic Majesty's Government of the desire of his Government that, for practical reasons, the negotiations should be conducted in Tôkiô.

In bringing this communication to the notice of the Right Honourable the Earl of Kimberley, the Undersigned would be happy to learn that the proposed arrangement would also suit the convenience of Her Britannic Majesty's Government, and that, if agreeable, full powers would be sent to the British Minister in Japan.

The Undersigned avails, &c.

(Signed) AOKI.

Japanese Legation, London, August 2, 1894.

No. 69.

The Earl of Kimberley to Viscount Aoki.

Sir,

Foreign Office, August 9, 1894.

I HAVE the honour to acknowledge the receipt of your note of the 2nd instant in regard to the Supplementary Convention, which, in conformity with the Protocol annexed to the Commercial Treaty signed on the 16th ultimo, is to be concluded between this country and Japan within six months of that date.

Her Majesty's Government have pleasure in acceding to the wish of the Japanese Government, that the negotiations for the Convention should be conducted at Tôkiô, and the necessary instructions and Full Powers are being prepared, and will shortly be forwarded to Mr. Trench for this purpose.

I have, &c.

(Signed) KIMBERLEY.

No. 70.

*China Association to the Earl of Kimberley.—(Received August 11.)*My Lord, *31, Lombard Street, London, August 10, 1894.*

SIR EDWARD GREY'S recent statement in the House of Commons that a new Treaty has been signed with Japan has caused surprise and anxiety to the British communities in the Far East, whose interests cannot but be seriously affected by the changes which are understood to be proposed.

Noting, with relief, the statement that the Treaty is still subject to ratification, the Committee trust that an opportunity will yet be afforded them, as representatives of the

British communities in Japan, of considering the provisions which are intended to govern our future political and commercial relations with that country.

The point upon which the keenest interest is felt by those communities is, naturally, that of extra-territorial jurisdiction. When it was understood, four years ago, that the negotiations which were then pending contemplated the surrender of that privilege, the foreign residents in Japan protested, with unanimity, against the change; and the Committee affirm, with confidence, that their feeling is practically unchanged.

Those familiar with the circumstances appear, in fact, convinced that no sufficient guarantees have yet been given for the administration of justice, in accordance with Western ideas, to justify such a vital change in the conditions of their residence; and the events of the past few weeks cannot but intensify the apprehension with which such a change would be regarded.

A very general impression, nevertheless, prevails that the new Treaty contemplates the surrender of these privileges, if not immediately, at least within a proximate period.

The Committee feel sure that your Lordship will appreciate the anxiety to which this impression gives rise, and trust that you will feel at liberty to relieve it by giving the information so anxiously sought.

The occasion may perhaps not be inopportune to remark that the interests involved are not limited even to the important question of the position of British subjects before the law. The question of extra-territoriality underlies, also, the status of the foreign Settlements at the Treaty ports.

An understanding has grown up that these Settlements shall be regarded as possessing neutral privileges in case of war; and experience has shown, on more than one occasion, the value of those privileges, not only to foreign interests, but to the Power in whose territory they are situated. Yet the quasi-foreign and cosmopolitan character to which they are indebted for these privileges is dependent on the extra-territorial jurisdiction which they enjoy. With the abolition of extra-territoriality, they would be, it is feared, politically indistinguishable from the surrounding territory.

In no case is the value of these privileges likely to be more apparent than during the present war between China and Japan. From every point of view, therefore, the circumstances appear to suggest reason for pause before surrendering a status to which these residents in the East, who are most affected, cling with earnest purpose, and which has ulterior advantages of wide political importance.

The Committee are conscious of disadvantage in dealing with considerations that rest so largely on assumption, but feel justified in pleading the importance of the interests involved as a sufficient reason for approaching your Lordship on the subject. They venture, for the same reason, to refer to a prevalent impression that a change of Tariff is contemplated, involving an increase of import duties on British goods entering Japan. They trust that, in that case, reasonable notice will be given, as any sudden change of the kind, owing to the peculiar conditions of the Japanese trade, would subject merchants to serious loss.

I have, &c.

(Signed) R. S. GUNDRY,
Honorary Secretary.

P.S.—I take the opportunity of inclosing, for your Lordship's information, copy of a statement which was drawn up by a Committee of the Yokohama community in December 1890,* putting forward the grounds of their objection to the changes then contemplated, and which is believed to represent the views of the community with equal accuracy at the present day.

R. S. G.

No. 71.

Foreign Office to China Association.

Sir,

Foreign Office, August 16, 1894.

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 10th instant, representing to his Lordship, on behalf of the China Association, that the British communities in the Far East, and more particularly the

* Not printed.

British community in Japan, have learned with surprise and anxiety that a new Treaty has been signed with Japan, and setting forth certain objections to some of the provisions which you understand it contains. You express the hope entertained by the Committee of the China Association that they may yet be consulted as regards the Treaty, and you inclose a report of the meeting held at Yokohama on the 12th September, 1890, together with a statement in support of the Resolutions adopted by that meeting.

You will readily understand that before the ratification and subsequent publication of the Treaty Lord Kimberley would not be justified in entering upon a discussion of its provisions. His Lordship, however, desires me to remind you that the principle of the eventual surrender of extra-territorial jurisdiction has been for many years conceded in the various negotiations with Japan, and that Germany, Russia, and the United States actually concluded Treaties with her upon that basis.

So far as concerns the immunity of the foreign Settlements in time of war, which is adverted to in your letter, Lord Kimberley authorizes me to inform you that no change is contemplated with regard to those Settlements which could take effect before the conclusion of the present conflict between China and Japan. Her Majesty's Government do not believe that, in any future state of war, the property and interests of Her Majesty's subjects will be prejudiced by the altered relations between the Settlements and the Japanese Government.

New Tariff arrangements are, it is true, provided for, but ample notice will of course be given of their operation, and Lord Kimberley believes that when the details become known it will be seen that full regard has been paid to the interests of Her Majesty's subjects in Japan, who have shown such energy and perseverance in developing trade with that country.

The commercial clauses of the Treaty have been discussed in concert with the Board of Trade, and no effort has been spared to secure the interests of British commerce, which are, moreover, protected by a most-favoured-nation clause.

I am, &c.

(Signed) FRANCIS BERTIE.

TREATY SERIES. No. 6.

1894.

T R E A T Y

BETWEEN

GREAT BRITAIN AND LIBERIA

FOR THE

MUTUAL SURRENDER OF FUGITIVE
CRIMINALS.

Signed at London, December 16, 1892.

Ratifications exchanged at London, January 31, 1894.

*Presented to both Houses of Parliament by Command of Her Majesty.
March 1894.*

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[C.—7306.]

TREATY BETWEEN GREAT BRITAIN AND
LIBERIA FOR THE MUTUAL SURRENDER
OF FUGITIVE CRIMINALS.

Signed at London, December 16, 1892.

[*Ratifications exchanged at London, January 31, 1894.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and his Excellency the President of Liberia, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; the said High Contracting Parties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable Archibald Philip, Earl of Rosebery, Knight of the Most Noble Order of the Garter, Her Majesty's Principal Secretary of State for Foreign Affairs; and

His Excellency the President of Liberia, Henry Hayman, Esq., Consul-General of the Republic of Liberia in London;

Who, having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime or offence committed in the territory of the one Party, shall be found within the territory of the other, under the circumstances and conditions stated in the present Treaty.

ARTICLE II.

The crimes or offences for which the extradition is to be granted are the following:—

1. Murder, or attempt, or conspiracy to murder.
2. Manslaughter.
3. Assault occasioning actual bodily harm.
4. Maliciously wounding or inflicting grievous bodily harm.
5. Counterfeiting or altering money, or uttering counterfeit or altered money.

6. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.

7. Forgery, counterfeiting, or altering or uttering what is forged, or counterfeited or altered.

8. Embezzlement or larceny.

9. Malicious injury to property if the offence be indictable.

10. Obtaining money, goods, or valuable securities by false pretences.

11. Receiving money, valuable security, or other property, knowing the same to have been stolen, embezzled, or unlawfully obtained.

12. Crimes against bankruptcy law.

13. Fraud by a bailee, banker, agent, factor, trustee, or director or member or public officer of any Company, made criminal by any law for the time being in force.

14. Perjury, or subornation of perjury.

15. Rape.

16. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under 16 years of age.

17. Indecent assault.

18. Administering drugs, or using instruments, with intent to procure the miscarriage of a woman.

19. Abduction.

20. Child stealing.

21. Abandoning children, exposing or unlawfully detaining them.

22. Kidnapping and false imprisonment.

23. Burglary or housebreaking.

24. Arson.

25. Robbery with violence.

26. Any malicious act done with intent to endanger the safety of any person in a railway train.

27. Threats by letter or otherwise, with intent to extort.

28. Piracy by law of nations.

29. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

30. Assaults on board a ship on the high seas, with intent to destroy life, or do grievous bodily harm.

31. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas, against the authority of the master.

32. Dealing in slaves in such a manner as to constitute a criminal offence against the laws of both States.

Extradition is also to be granted for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

ARTICLE III.

Either Government may, in its absolute discretion, refuse to deliver up its own subjects to the other Government.

ARTICLE IV.

The extradition shall not take place if the person claimed on the part of the British Government, or the person claimed on the part of the Liberian Government, has already been tried and discharged or punished, or is still under trial, within the territories of the two High Contracting Parties respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the British Government, or if the person claimed on the part of the Liberian Government, should be under examination, or is undergoing sentence under a conviction, for any other crime within the territories of the two High Contracting Parties respectively, his extradition shall be deferred until after he has been discharged, whether by acquittal, or on expiration of his sentence, or otherwise.

ARTICLE V.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

ARTICLE VII.

A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place, until he has been restored or had an opportunity of returning to the State by which he has been surrendered.

This stipulation does not apply to crimes committed after the extradition.

ARTICLE VIII.

The requisition for extradition shall be made in the following manner:—

Application on behalf of Her Britannic Majesty's Government for the surrender of a fugitive criminal in Liberia shall be made by Her Majesty's Consul at Monrovia.

Application on behalf of the Liberian Government for the surrender of a fugitive criminal in the United Kingdom shall be made by the Diplomatic Representative of Liberia in London, or in the absence of such Representative, by the Consul-General for Liberia in London.

The requisition for the extradition of the accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A sentence passed *in contumaciam* is not to be deemed a conviction, but a person so sentenced may be dealt with as an accused person.

ARTICLE IX.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

ARTICLE X.

If the fugitive has been arrested in the British dominions he shall forthwith be brought before a competent Magistrate, who is to examine him and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the British dominions.

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the British dominions shall admit as valid evidence the sworn depositions or the affirmations of witnesses taken in Liberia, or copies thereof, and likewise the warrants and sentences issued therein, and certificates of, or judicial documents stating the fact of, a conviction, provided the same are authenticated as follows:—

1. A warrant must purport to be signed by a Judge, Magistrate, or officer of Liberia.
2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a Judge, Magistrate, or officer of Liberia, to be the original depositions or affirmations, or to be the true copies thereof, as the case may require.
3. A certificate of or judicial document stating the fact of a conviction must purport to be certified by a Judge, Magistrate, or officer of Liberia.
4. In every case such warrant, deposition, affirmation, copy,

certificate, or judicial document must be authenticated either by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of Liberia; but any other mode of authentication for the time being permitted by the law in that part of the British dominions where the examination is taken may be substituted for the foregoing.

ARTICLE XI.

If the fugitive has been arrested in Liberia his surrender shall be granted if, upon examination by a competent authority, it appears that the documents furnished by the British Government contain sufficient *prima facie* evidence to justify the extradition.

The Authorities of Liberia shall admit as valid evidence records drawn up by the British authorities of the depositions of witnesses, or copies thereof, and records of conviction or other judicial documents, or copies thereof, provided that the said documents be signed or authenticated by an authority whose competence shall be certified by the seal of a Minister of State of Her Britannic Majesty.

ARTICLE XII.

The extradition shall not take place unless the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime has been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition, and that the crime of which he has been convicted is one in respect of which extradition could, at the time of such conviction, have been granted by the State applied to. The fugitive criminal shall not be surrendered until the expiration of fifteen days from the date of his being committed to prison to await his surrender.

ARTICLE XIII.

If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes or offences committed upon their respective territories, his extradition shall be granted to that State whose demand is earliest in date.

ARTICLE XIV.

If sufficient evidence for the extradition be not produced within three months from the date of the apprehension of the fugitive, or within such further time as the State applied to, or the proper Tribunal thereof, shall direct, the fugitive shall be set at liberty.

ARTICLE XV.

All articles seized which were in the possession of the person to be surrendered, at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place, and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

ARTICLE XVI.

All expenses connected with extradition shall be borne by the demanding State.

ARTICLE XVII.

The stipulations of the present Treaty shall be applicable to the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws for the time being in force in such Colonies and foreign possessions respectively will allow.

The requisition for the surrender of a fugitive criminal who has taken refuge in any of such Colonies or foreign possessions may be made to the Governor or chief authority of such Colony or possession by any person authorized to act in such Colony or possession as a Consular officer of Liberia, or if there is no such Consular officer in the Colony, by the Diplomatic Representative of Liberia in London, or in his absence by the Liberian Consul-General.

Such requisitions may be disposed of, subject always, as nearly as may be, and so far as the law of such Colony or foreign possession will allow, to the provisions of this Treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender, or to refer the matter to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British Colonies and foreign possessions for the surrender of criminals from Liberia who may take refuge within such Colonies and foreign possessions, on the basis, as nearly as may be, and so far as the law of such Colony or foreign possession will allow, of the provisions of the present Treaty.

Requisitions for the surrender of a fugitive criminal emanating from any Colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.

ARTICLE XVIII.

The present Treaty shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either

of the High Contracting Parties at any time on giving to the other six months' notice of its intention to do so.

The Treaty shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London, the 16th day of December, 1892.

(L.S.) ROSEBERY.

(L.S.) H. HAYMAN.

TREATY SERIES. No. 5.

1894.

T R E A T Y

OF

FRIENDSHIP, COMMERCE, AND NAVIGATION

BETWEEN

GREAT BRITAIN AND MUSKAT.

Signed at Muskat, March 19, 1891.

WITH A LIST OF BRITISH COLONIES WHICH HAVE ACCEDED THERETO UNDER
ARTICLE XXI.

[The text of the Treaty is identical with that published in Parliamentary Paper
C.—6638, 1892.]

*Presented to both Houses of Parliament by Command of Her Majesty.
March 1894.*

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[C.—7305.]

TREATY OF FRIENDSHIP, COMMERCE, AND
NAVIGATION BETWEEN GREAT BRITAIN
AND MUSKAT.

Signed at Muskat, March 19, 1891.

Ratifications exchanged at Muskat, February 20, 1892.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Highness the Seyyid Feysal-bin-Turki-bin-Saeed, Sultan of Muskat and Oman, being desirous to confirm and strengthen the friendly relations which now subsist between the two countries, and to promote and extend their commercial relations, have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Colonel Edward Charles Ross, Companion of the Star of India, Her Britannic Majesty's Political Resident in the Persian Gulf;

And His Highness the Sultan of Muskat, in person;

Who have agreed upon and concluded the following Articles:—

ARTICLE I.

The Treaty concluded between the British Government and Sultan Seyyid Saeed-bin-Sultan of Muskat and Oman on the 31st May, 1839 (17 Rabia 1st, 1255), is hereby cancelled and declared void, and the present Treaty, when ratified, shall be substituted for it.

ARTICLE II.

Subjects of Her Britannic Majesty shall, for the purposes of this Treaty, include subjects of native States in India in alliance with Her Majesty. Such subjects shall enjoy, immediately and unconditionally, throughout the dominions of His Highness the Sultan of Muskat, with respect to commerce, shipping, and the exercise of trade, as in every other respect, all the rights, privileges, immunities, advantages, and protection of whatsoever nature, which are, or hereafter may be, enjoyed by, or accorded to, the subjects or citizens of the most favoured nation.

They shall, more especially, not be liable to other or more onerous duties, imposts, restrictions, or obligations of whatever description, than those to which subjects or citizens of the most favoured nation now are, or hereafter may be, subjected.

ARTICLE III.

The two High Contracting Parties acknowledge reciprocally to each other the right of appointing Consuls to reside in each other's dominions wherever the interests of commerce may require the presence of such officers; and such Consuls shall at all times be placed, in the country in which they reside, on the footing of the Consuls of the most favoured nations. Each of the High Contracting Parties further agree to permit his own subjects to be appointed to Consular offices by the other Contracting Party, provided always that the persons so appointed shall not begin to act without the previous approbation of the Sovereign whose subjects they may be. The public functionaries of either Government residing in the dominions of the other, shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries.

ARTICLE IV.

There shall be perfect freedom of commerce and navigation between the High Contracting Parties; each shall allow the subjects of the other to enter all ports, creeks, and rivers with their vessels and cargoes, also to travel, reside, pursue commerce and trade, whether wholesale or retail, in each other's dominions, and therein to hire, purchase, and possess houses, warehouses, shops, stores, and lands. British subjects shall everywhere be freely permitted, whether personally or by agent, to bargain for, buy, barter, and sell all kinds of goods, articles of import, or native production, whether intended for sale within the dominions of His Highness or for export, and to arrange with the owner or his agent regarding the price of all such goods and produce without interference of any sort on the part of the authorities of His Highness.

His Highness the Sultan of Muskat binds himself not to allow or recognize the establishment of any kind of monopoly or exclusive privilege of trade within his dominions to any Government, Association, or individual.

ARTICLE V.

Subjects of Her Britannic Majesty shall be permitted, throughout the dominions of His Highness the Sultan, to acquire by gift, purchase, intestate succession, or under will, or any other legal manner, land, houses, and property of every description, whether movable or immovable, to possess the same; and freely to dispose thereof by sale, barter, donation, or otherwise.

ARTICLE VI.

His Highness the Sultan shall be permitted to levy a duty of entry not exceeding 5 per cent. on the value of all goods and merchandize, of whatever description, imported by sea from foreign countries into His Highness' dominions. This duty shall be paid at that port in His Highness' dominions where the goods are first landed, and, on payment thereof, such goods shall thereafter be exempt, within the Sultan's dominions, from all other customs duties or taxes, levied by, or on behalf of, the Government of His Highness the Sultan, by whatever names these may be designated, and no higher import duty shall be claimed from British subjects than that which is paid by subjects or citizens of the most favoured nation.

This duty, once paid, shall cover, from all other charges on the part of His Highness the Sultan, goods of whatever description coming from foreign countries by sea, whether these are intended for local consumption or for transmission elsewhere in bulk or otherwise, and whether they remain in the state in which they are imported or have been manufactured.

There shall, however, be exempted from payment of all duty the following, namely:—

1. All goods and merchandize which, being destined for a foreign port, are transhipped from one vessel to another in any of the ports of His Highness the Sultan of Muskat, or which have been for this purpose provisionally landed and deposited in any of the Sultan's custom-houses to await the arrival of a vessel in which to be reshipped aboard. But goods and merchandize so landed shall be exempted only, provided that the consignee or his agent shall have, on the arrival of the ship, handed over the said goods to be kept under Customs seal, and declared them as landed for transshipment, designating at the same time the foreign port of destination, and also provided that the said goods are actually shipped for the said foreign port as originally declared, within a period not exceeding six months after their first landing, and without having, in the interval, changed owners.

2. All goods and merchandize which, not being consigned to a port within the dominions of the Sultan, have been inadvertently landed, provided that such goods are reshipped within a month of being so landed and transported abroad. Should, however, such goods or merchandize, here spoken of, be opened or removed from the custody of the Customs authorities, the full duty shall then be payable on the same.

3. Coals, naval provisions, stores, and fittings, the property of Her Majesty's Government, landed in the dominions of His Highness for the use of the ships of Her Majesty's navy.

4. All goods and merchandize transhipped or landed for the repair of damage caused by stress of weather or other disaster at sea, provided the cargo so discharged shall be reshipped and taken away on board of the same vessel, or if the latter shall have been condemned, or her departure delayed, in any other manner.

ARTICLE VII.

No article whatever shall be prohibited from being imported into or exported from the territories of His Highness the Sultan of Muskat, and no export duties are to be levied on goods exported from those territories except with the consent of the Government of Her Britannic Majesty, such consent being subject to the conditions that may be laid down in the notifications intimating the same.

ARTICLE VIII.

It is agreed and understood by the High Contracting Parties that, in the event of an arrangement being entered into hereafter between His Highness and the Powers having Treaty relations with Muskat, and to which Great Britain shall be a consenting party, whereby vessels entering the port of Muskat shall be charged with shipping, tonnage, or harbour dues, such dues to be administered under the control of a special Board for the improvement of the harbour and construction and maintenance of light-houses, &c.; nothing in the aforementioned provisions shall be construed so as to exempt British vessels from payment of such shipping, harbour, or tonnage dues as may hereafter be agreed upon.

ARTICLE IX.

It shall be at the option of the British subject in each case to pay the percentage duties stipulated in Article VI, either in cash, or, if the nature of the goods allows of it, in kind, by giving up an equivalent amount of the goods or produce.

In the event of payment being made in cash, the value of the merchandize, goods, or produce on which duty is to be levied, shall be fixed according to the ready-money market price ruling at the time when the duty is levied. In the case of foreign imports, the value shall be fixed according to the market price at Muskat, and in that of native goods and produce by the market price at the place where the merchant shall choose to pay the duty.

In the event of any dispute arising between a British subject and the Custom-house authorities regarding the value of such goods, this shall be determined by reference to two experts, each party nominating one, and the value so ascertained shall be decisive. Should, however, these experts not be able to agree, they shall choose an umpire, whose decision is to be considered final.

ARTICLE X.

His Highness the Sultan of Muskat engages by the present Treaty to provide and give orders to his officials that the movement of goods in transit shall not be obstructed or delayed in a vexatious manner by unnecessary Customs formalities and Regulations, and that every facility will be given for their transport.

ARTICLE XI.

British vessels entering a port in the dominions of His Highness the Sultan of Muskat, in distress, shall receive from the local authorities all necessary aid to enable them to revictual and refit so as to proceed on their voyage.

Should a British vessel be wrecked off the coast of His Highness' dominions, the authorities of His Highness shall render all assistance in their power to the distressed vessel, in order to save the ship, her cargo, and those on board; they shall also give aid and protection to persons saved, and shall assist them in reaching the nearest British Consulate; they shall further take every possible care that the goods so recovered are safely stored, and kept for the purpose of being handed over to the owner, captain, agent of the ship, or British Consul, subject always to rights of salvage.

His Highness' authorities shall further see that the British Consulate is at once informed of such disaster having occurred.

Should a British vessel, wrecked on the coast of His Highness' dominions, be plundered, the authorities of His Highness shall, as soon as they come to know thereof, render prompt assistance and take measures to pursue and punish the robbers, and recover the stolen property. Likewise, should a vessel of His Highness the Sultan of Muskat, or of one of his subjects, enter a British port in distress, or be wrecked off the coast of Her Majesty's dominions, the like help and assistance shall be rendered by the British authorities.

ARTICLE XII.

Should sailors or others belonging to a British ship of war or merchant-vessel desert and take refuge on shore or on board of any of His Highness' ships, the authorities of His Highness the Sultan of Muskat shall, upon request of a Consular official, or, in his absence, of the captain of the ship, take the necessary steps in order to have them arrested and delivered over to the Consular official or to the captain.

In this, however, the Consular officer and captain shall render every assistance.

ARTICLE XIII.

Subjects of Her Britannic Majesty shall, as regards their person and property, enjoy within the dominions of His Highness the Sultan of Muskat the rights of extraterritoriality.

The authorities of His Highness the Sultan have no right to interfere in disputes with subjects of Her Britannic Majesty amongst themselves, or between them and members of other Christian nations; such questions, whether of a civil or criminal nature, shall be decided by the competent Consular authorities. The trial and also the punishment of all offences and crimes of which British subjects may be accused within the dominions of His Highness the Sultan, also the hearing and settlement of all

civil questions, claims, or disputes in which they are the defendants is expressly reserved to the British Consular authorities and Courts, and removed from the jurisdiction of His Highness the Sultan.

Should disputes arise between subjects of His Highness the Sultan or other non-Christian Power, not represented by Consuls at Muskat, and a subject of Her Britannic Majesty, in which the British subject is the plaintiff or complainant, the matter shall be brought before and decided by the highest authority of the Sultan, or some person specially delegated by him for this purpose. The proceedings and final decision in such a case shall not, however, be considered legal unless notice has been given and an opportunity afforded for the British Consul or his substitute to attend at the hearing and final decision.

ARTICLE XIV.

Subjects of His Highness the Sultan, or any non-Christian nation, not represented by Consuls at Muskat, who are in the regular service of British subjects within the dominions of His Highness the Sultan of Muskat, shall enjoy the same protection as British subjects themselves.

Should they be charged with having committed a crime or serious offence punishable by law, they shall, on sufficient evidence being shown to justify further proceedings, be handed over by British employers, or by order of the British Consul, to the authorities of His Highness the Sultan for trial and punishment.

ARTICLE XV.

Should a subject of Her Majesty residing in the dominions of His Highness the Sultan of Muskat be adjudicated bankrupt, the British Consul shall take possession of, recover, and realize all available property and assets of such bankrupt, to be dealt with and distributed according to the provisions of English Bankruptcy Law.

ARTICLE XVI.

Should a subject of His Highness the Sultan of Muskat resist or evade payment of the just and rightful claims of a British subject, the authorities of His Highness the Sultan shall afford to the British creditor every aid and facility in recovering the amount due to him. In like manner the British Consul shall afford every aid and facility to subjects of His Highness the Sultan of Muskat, in recovering debts justly due to them from a British subject.

ARTICLE XVII.

Should a British subject die within the dominions of His Highness the Sultan of Muskat, or dying elsewhere leave property

therein, movable or immovable, the British Consul shall be authorized to collect, realize, and take possession of the estate of the deceased, to be disposed of according to the provisions of English law.

ARTICLE XVIII.

The houses, dwellings, warehouses, and other premises of British subjects, or of persons actually in their regular service within the dominions of His Highness the Sultan of Muskat, shall not be entered, or searched under any pretext, by the officials of His Highness without the consent of the occupier, unless with the cognizance and assistance of the British Consul or his substitute.

ARTICLE XIX.

It is hereby agreed between the two High Contracting Parties, that, in the event of an agreement being hereafter arrived at between His Highness the Sultan of Muskat and the various Powers with which His Highness shall be in Treaty relations, including Great Britain, which must be a consenting party, whereby the residents of a district or town shall, without distinction of nationality, be made subject to the payment of local taxes, for municipal and sanitary purposes, the same to be fixed and administered by or under the control of a special Board, nothing contained in this Treaty shall be understood so as to exempt British residents from the payment of such taxes.

ARTICLE XX.

Subjects of the two High Contracting Parties shall, within the dominions of each other, enjoy freedom of conscience and religious toleration, the free and public exercise of all forms of religion, and the right to build edifices for religious worship.

ARTICLE XXI.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty so far as the laws permit, excepting to those hereinafter named that is to say, except to—

- The Dominion of Canada.
- Newfoundland,
- The Cape of Good Hope.
- Natal.
- New South Wales.
- Victoria.
- Queensland.
- Tasmania.
- South Australia.
- Western Australia.
- New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions, on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Muskat to His Highness the Sultan within two years from the date of exchange of the ratifications of the present Treaty.

ARTICLE XXII.

The present Treaty has been executed in quadruplicate, two copies being written in English and two in Arabic. These are understood to be of similar import and signification; in the event, however, of doubt hereafter arising as to the proper interpretation of the English or Arabic text of one or other of the Treaty stipulations, the English text shall be considered decisive. The Treaty shall come into operation within one month after the date when the ratifications may take place.

ARTICLE XXIII.

After the lapse of twelve years from the date on which this Treaty shall come into force, and on twelve months' notice given by either party, this Treaty shall be subject to revision by Plenipotentiaries appointed on both sides for this purpose, who shall be empowered to decide on and adopt such amendments as experience shall prove to be desirable.

In witness whereof Colonel Edward Charles Ross, C.S.I., on behalf of Her Majesty the Queen of Great Britain and Ireland, and Empress of India, and His Highness Seyyed Feysal-bin-Turki, Sultan of Muskat, on his own behalf, have signed the same and affixed thereto their respective seals.

Done at Muskat, this 19th day of March, 1891, corresponding to the 8th Shaaban of the year 1308 Hijreea.

(Signed) EDWARD CHARLES ROSS, *Colonel.*
Political Resident in the Persian Gulf.
 (Signature in Arabic of His Highness the
 Sultan of Muskat.)

Protocol.

The Undersigned in proceeding to the exchange of ratifications of the Treaty signed at Muskat on the 19th March, 1891, between Her Majesty the Queen of Great Britain and Ireland, Empress of India, and His Highness Seyyed Feysal-bin-Turki, Sultan of Muskat, have agreed to the present Protocol, which shall have the same force and validity as if it had been inserted in the body of the Treaty itself.

It is agreed that under Article XXIII of the said Treaty either of the High Contracting Parties shall be at liberty, after the expiration of twelve years from the date on which the Treaty has come into force, to terminate the said Treaty at any time on giving twelve months' notice.

In witness whereof the Undersigned, duly authorized for the purpose, have signed the present Protocol, in quadruplicate, and have affixed thereto their seals.

Done at Muskat, on the 20th day of February, 1892.

(Signed) A. C. TALBOT, *Lieutenant-Colonel.*
Political Resident, Persian Gulf.

(L.S.)

(Signature in Arabic of His Highness the
Sultan of Muskat.)

(L.S.)

LIST OF BRITISH COLONIES WHICH ACCEDED TO
THE TREATY UNDER ARTICLE XXI:—

1. NATAL	...	...	October	23, 1892
2. QUEENSLAND	...	}	December	15, 1892
3. NEWFOUNDLAND	...			
4. CANADA	...	...	April	11, 1893

THE FOLLOWING COLONIES HAVE NOT ACCEDED TO
THE TREATY:—

1. CAPE OF GOOD HOPE.
2. VICTORIA.
3. TASMANIA.
4. WESTERN AUSTRALIA.
5. NEW ZEALAND.
6. NEW SOUTH WALES.
7. SOUTH AUSTRALIA.

TREATY SERIES. No. 9.
1894.

AGREEMENT

BETWEEN

GREAT BRITAIN AND PORTUGAL

FOR THE

INSURANCE OF POSTAL PARCELS.

Signed at Lisbon, March 10, 1894.

*Presented to both Houses of Parliament by Command of Her Majesty.
April 1894.*

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[C.—7310.]

AGREEMENT BETWEEN GREAT BRITAIN AND PORTUGAL FOR THE INSURANCE OF POSTAL PARCELS.

Signed at Lisbon, March 10, 1894.

THE Governments of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Majesty the King of Portugal and the Algarves, wishing to provide for the insurance of parcels transmitted by Parcel Post between their respective countries under the Agreement of the 2nd July, 1887, the Undersigned duly authorized for that purpose have agreed upon the following provisions:—

ARTICLE I.

1. The parcels exchanged by Parcel Post between Great Britain on the one hand, and Portugal, the Azores, and Madeira, on the other hand, may be insured. This provision will, at the outset, apply exclusively to parcels exchanged direct between the United Kingdom and Portugal or Madeira.

2. The two Post Offices shall mutually serve as intermediaries for the exchange of insured parcels to and from the other

DESEJANDO os Governos de Sua Magestade a Rainha do Reino Unido da Gran-Bretanha e Irlanda, e de Sua Magestade o Rei de Portugal e dos Algarves, providenciar com referencia ao seguro das encomendas postaes transmittidas de um para outro dos respectivos paizes, conforme o accordo de 2 Julho, 1887, os abaixo assignados, devidamente auctorisados para este fim, convieram nas disposições seguintes:—

ARTIGO I.

1. As encomendas postaes que se permutarem entre a Gran-Bretanha, de um lado, e Portugal, Açores e Madeira, do outro, poderão ser expedidas com valor declarado. Esta disposição será, por emquanto, exclusivamente applicada ás encomendas permutadas directamente entre o Reino Unido e Portugal ou Madeira.

2. As duas respectivas administrações postaes servirão mutuamente de intermediarias na permutação de encomendas

countries with which they respectively maintain similar exchanges. They shall communicate to each other the amount of the insurance fee to be credited in each case, and the other conditions of the service.

ARTICLE II.

The maximum amount for which parcels exchanged between the United Kingdom on the one hand, and Portugal, the Azores, and Madeira on the other hand, may be insured is 20*l.* (500 francs) in the United Kingdom, and 100\$000 reis in Portugal, the Azores, or Madeira.

ARTICLE III.

The insurance fee, which shall be paid at the same time as the postage, shall be in the United Kingdom 2½*d.* for each 12*l.* or fraction of 12*l.* of insured value, and in Portugal, the Azores, and Madeira, 50 reis for each 60\$000 reis or fraction of 60\$000 reis of insured value.

ARTICLE IV.

1. The insurance for each 12*l.* or 60\$000 reis of insured value levied on parcels posted in the United Kingdom addressed to Portugal or Madeira, or posted in Portugal or Madeira addressed to the United Kingdom, shall be apportioned as follows:

	Centimes.
To the Office of origin ..	10
To the Office which provides the sea service	10
To the Office of destination..	5

com valor declarado destinadas a, ou recebidas de, outros paizes com que mantenham iguaes permutações. As ditas administrações communicarão entre si a importancia do premio de seguro que lhes deverá ser abonado em um ou outro caso, bem como quaesquer outras condições de serviço.

ARTIGO II.

A importancia maxima da declaração de valor para as encomendas permutadas entre o Reino Unido, de um lado, e Portugal, Açores e Madeira, do outro, será de 20*l.* (500 francos) no Reino Unido, e de 100\$000 reis em Portugal, Açores e Madeira.

ARTIGO III.

O premio de seguro pago simultaneamente com a franquia das encomendas será no Reino Unido de 2½*d.* por cada 12*l.* ou fracção de 12*l.* de valor declarado, e em Portugal, Açores e Madeira de 50 reis por cada 60\$000 reis ou fracção de 60\$000 reis de valor declarado.

ARTIGO IV.

1. O premio de seguro por cada 12*l.* ou 60\$000 reis de valor declarado, recebido pelas encomendas postaes procedentes do Reino Unido com destino a Portugal ou Madeira, ou procedentes de Portugal ou Madeira com destino ao Reino Unido, será dividido da seguinte maneira:

	Centimos.
Para a administração de procedencia	10
Para a administração que tiver a seu cargo o serviço marítimo	10
Para a administração de destino	5

2. In the case of parcels exchanged between the United Kingdom and the Azores by way of Lisbon or Madeira, the Office of origin shall pay to the Office of destination for each 12*l.* or 60\$000 reis of insured value, 15 centimes in respect of the land and sea service.

2. No caso de se permutarem encomendas postaes entre o Reino Unido e os Açores por via de Lisboa ou Madeira, á administração de procedencia pagará administração de destino, por cada 12*l.* ou 60\$000 reis. de valor declarado, a importancia de 15 centimos com respeito ao serviço marítimo e terrestre.

ARTICLE V.

If it shall be subsequently determined to allow the insurance of parcels exchanged between the United Kingdom and Portugal, the Azores, and Madeira, by way of France, the two Post Offices shall fix by common consent both the amount of the insurance fees to be paid by the senders of such parcels and the apportionment of those fees.

ARTIGO V.

Se posteriormente se concordar na permutação, por via de França, de encomendas com valor declarado entre o Reino Unido e Portugal, Açores, e Madeira, as duas administrações fixarão de common accordo tanto a importancia dos premios de seguro a cobrar dos remetentes de taes encomendas, como a divisão d'esses premios.

ARTICLE VI.

On every insured parcel sent under this Agreement the Administration of the country of origin may levy a registration fee not exceeding 2½*d.* or 50 reis, to be paid by the sender in addition to the insurance fee. This registration fee shall be retained by the Office which levies it.

ARTIGO VI.

Por cada encomenda de valor declarado expedida em conformidade com este Accordo, a administração do paiz de procedencia poderá cobrar do remetente, alem do premio de seguro, um premio adicional que não exceda a 2½*d.* ou 50 reis. Este premio adicional reverterá a favor da administração que o cobrar.

ARTICLE VII.

When an insured parcel is redirected or returned to the Office of origin, a new insurance fee is collected from the addressee or the sender, as the case may be.

ARTIGO VII.

Quando uma encomenda postal de valor declarado for reexpedida ou devolvida á administração de procedencia, um novo premio de seguro será exigido do destinatario ou do remetente, conforme o caso.

So far as the relations of the

Pelo que respeita n'esta parte

two Administrations are concerned, the amount of the insurance fees on redirected or returned parcels, and the apportionment of such amount shall be regulated in the same manner as the amount and apportionment of the fees levied on other parcels passing between the two countries.

ARTICLE VIII.

Compensation for the loss or damage of insured parcels shall be paid in accordance with Article XI of the Agreement of the 2nd July, 1887; but the compensation paid in the case of any one parcel shall not exceed the sum for which it has been insured.

ARTICLE IX.

In the case of all parcels containing coin, objects of gold or silver, or other precious articles, exchanged between the United Kingdom and Portugal, the Azores, and Madeira, insurance is obligatory. If such a parcel is forwarded uninsured, the Administration which delivers it is entitled to collect the proper insurance fee from the addressee, and to retain the same.

ARTICLE X.

No parcel may be insured for an amount above the real value of its contents. In case the sender of an insured parcel, with intent to defraud, declares the contents to be above their

as relações entre as duas Administrações, tanto a importancia dos premios de seguro sobre as encomendas reexpedidas ou devolvidas, como a sua divisão, serão reguladas por modo igual ao que regula a importancia e divisão dos premios cobrados pelas outras encomendas que se permutarem entre os dois paizes.

ARTIGO VIII.

A indemnisação por perda ou avaria de encomendas postaes de valor declarado será satisfeita, segundo as disposições do Artigo XI do Accordo de 2 de Julho, 1887, sem que, todavia, esta indemnisação possa exceder a importancia da declaração do valor.

ARTIGO IX.

Para as encomendas contendo dinheiro, objectos de ouro ou prata, ou outros artigos preciosos, permutadas entre o Reino Unido e Portugal, Açores e Madeira, a declaração de valor é obrigatoria. Se qualquer encomenda n'estas condições for expedida sem declaração de valor, a administração que a entregar é auctorizada a cobrar do destinatario o respectivo premio de seguro, cuja importancia reverterá a favor da mesma administração.

ARTIGO X.

Nenhuma encomenda poderá ter valor declarado superior ao valor real do seu conteúdo. O remetente de uma encomenda de valor declarado que, no intuito de commetter fraude,

real value, he loses all claim to compensation; and the enforcement of this rule does not prejudice any judicial proceedings of which the law of the country of origin may admit.

declarar um valor para o seu conteúdo superior ao valor real, perderá todo o direito á indemnisação, independentemente de qualquer processo judicial a que possa dar logar a lei do paiz de procedencia.

ARTICLE XI.

The provisions of the Agreement of the 2nd of July, 1887, remain generally applicable to insured postal parcels. Moreover, the following additional detailed regulations are applicable to such parcels:

1. An insured parcel must bear on the cover, as well as on the despatch note, a statement of the amount for which it is insured; and no erasure or addition, even if certified, is allowed. When this statement is made in English or Portuguese money, the sender or the Post Office of origin must indicate by new figures placed beside or below the others, the equivalent of the amount in francs and centimes.

2. The same despatch note cannot be used with both insured and uninsured parcels.

3. The exact weight of an insured parcel in kilogrammes and grammes must be entered by the Office of origin both on the cover of the parcel and on the despatch note in the place provided for the purpose.

4. Each insured parcel must bear a red label with the word "insured" or "valeur déclarée" upon it.

ARTIGO XI.

As disposições do Accordo de 2 de Julho de 1887 são geralmente applicaveis ás encomendas postaes de valor declarado. Entretanto, devem também applicar-se ás ditas encomendas as seguintes disposições especiaes:

1. Cada encomenda de valor declarado deve trazer indicada, tanto no endereço como no aviso de remessa, a respectiva declaração de valor, não sendo permittida nenhuma rasura ou addição ainda mesmo authenticada. Quando a declaração de valor for feita em moeda ingleza ou portugueza, o remetente ou a repartição postal de procedencia deverá indicar, por meio de novos algarismos collocados ao lado ou por baixo dos primeiros, o equivalente da importancia em francos e centimos.

2. O mesmo aviso de remessa não póde simultaneamente ser empregado para encomendas sem e com declaração de valor.

3. O peso exacto de cada encomenda de valor declarado em kilogrammas e grammas deve ser lançado pela repartição de procedencia no endereço da mesma encomenda, bem como no logar do aviso de remessa para esse fim destinado.

4. Em cada encomenda de valor declarado deve ser affixado um rotulo vermelho com a palavra "insured" ou a sua

5. The labels on insured parcels containing coin, articles of gold or silver, jewellery, or other precious objects, must be so placed that they cannot serve to conceal injuries to the cover. They must not be folded over two sides of the cover so as to hide the edge. The address in such cases must be written on the actual covering of the parcels.

6. The parcel bills used for the service shall be enlarged by the addition of columns for the entry of the weight of insured parcels, and the sums in francs and centimes for which they are insured.

ARTICLE XII.

The present Agreement shall come into operation on a date to be fixed by the two Post Offices, and shall be terminable on a notice of one year by either party.

In witness whereof the Undersigned, duly authorized for that purpose, have signed the present Agreement, and have affixed thereto their seals.

Done in duplicate at Lisbon on the 10th day of March, 1894.

(L.S.)
H. G. MACDONELL.
(L.S.)
FREDERICO DE GUSMAN
CORRÊA AROUCA.

equivalencia em francez "valeur déclarée."

5. Os rotulos das encomendas de valor declarado contendo dinheiro, artigos de ouro ou prata, pedras preciosas ou outros objetos de valor, devem ser affixados de maneira que não possam servir para encobrir qualquer deterioração nos envolucros das mesmas encomendas. Não devem ser dobrados sobre os dois lados do envolucro de fórma que lhe occultem alguma das extremidades. Alem d'isso, o endereço de taes encomendas deve escrever-se no proprio envolucro em que se acham fechadas.

6. Nas guias empregadas no serviço de encomendas deverão acrescentar-se as columnas necessarias para o lançamento do peso das encomendas de valor declarado e das importancias em francos e centimos de sua respectiva declaração de valor.

ARTIGO XII.

O presente Accordo começará a vigorar no dia que for fixado pelas duas Administrações Postaes, e terminará mediante aviso feito por uma das partes com um anno de antecedencia.

Em firmeza do que, os Abaixo assignados, devidamente auctorizados para este fim, assignaram o presente Accordo, e lhe appozeram o sêllo das suas armas.

Feito em duplicado em Lisboa no dia 10 de Março, 1894.

(L.S.)
H. G. MACDONELL.
(L.S.)
FREDERICO DE GUSMAN
CORRÊA AROUCA.

TREATY SERIES. No. 7.

1894.

T R E A T Y

BETWEEN

GREAT BRITAIN AND PORTUGAL

FOR THE

MUTUAL SURRENDER OF FUGITIVE
CRIMINALS.

Signed at Lisbon, October 17, 1892.

Ratifications exchanged at Lisbon, November 13, 1893.

Presented to both Houses of Parliament by Command of Her Majesty.
March 1894.

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TREATY BETWEEN GREAT BRITAIN AND
PORTUGAL FOR THE MUTUAL SURRENDER
OF FUGITIVE CRIMINALS.

Signed at Lisbon, October 17, 1892.

[*Ratifications exchanged at Lisbon, November 13, 1893.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Most Faithful Majesty the King of Portugal and of the Algarves, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, the said High Contracting Parties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir George Glynn Petre, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Companion of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Most Faithful Majesty, &c.; and

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SUA Magestade a Rainha do Reino Unido da Grã-Bretanha e Irlanda, Imperatriz da India, e Sua Magestade Fidelissima o Rei de Portugal e dos Algarves, julgando conveniente para melhorar a administração da justiça e obstar á perpetração de crimes nos seus respectivos territorios, que os individuos accusados ou condemnados por algum dos crimes abaixo indicados, e foragidos da justiça, sejam, dadas certas circumstancias, reciprocamente entregues, nomearam seus Plenipotenciarios para a celebração d'um Tratado com este intuito, a saber:

Sua Magestade a Rainha do Reino Unido da Grã-Bretanha e Irlanda, Imperatriz da India, a Sir George Glynn Petre, Comendador da Muito Distincta Ordem de São Miguel e São Jorge, Cavalleiro da Muito Nobre Ordem do Banho, seu Enviado Extraordinario e Ministro Plenipotenciario na Côrte de Sua Magestade Fidelissima, &c.; e

His Most Faithful Majesty the King of Portugal and of the Algarves, Dom Antonio Ayres de Gouvêa, Councillor of His Majesty, Peer of the Realm, Bishop of Bethsaida, retired Professor of the University of Coimbra, His Majesty's Minister and Secretary of State for Foreign Affairs, &c. ;

Who, having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime or offence committed in the territory of the one Party, shall be found within the territory of the other Party, under the circumstances and conditions stated in the present Treaty.

ARTICLE II.

The crimes or offences for which the extradition is to be granted are the following:—

1. Murder (including assassination, infanticide, and poisoning), or attempt or conspiracy to murder.

2. Manslaughter.

3. Maliciously wounding or inflicting grievous bodily harm.

4. Assault occasioning actual bodily harm.

5. Counterfeiting or altering money, either metallic or of any other kind representing the first named, or uttering counterfeit or altered money of any of those kinds.

Sua Magestade Fidelissima El-Rei de Portugal e dos Algarves, a Dom Antonio Ayres de Gouvêa, do seu Conselho, Par do Reino, Bispo de Bethsaida, lente Jubilado da Universidade de Coimbra, seu Ministro e Secretario de Estado dos Negocios Estrangeiros, &c. ;

Os quaes, tendo trocado os seus respectivos Plenos Poderes, que acharam em bôa e devida forma, convieram e assentaram nos seguintes Artigos:—

ARTIGO I.

As Altas Partes Contractantes compromettem-se á reciproca entrega dos individuos que, accusados ou condemnados por crime ou delicto commettido no territorio d'uma das Partes, se acharem no territorio da outra, nos termos e condições estipuladas no presente Tratado.

ARTIGO II.

Os crimes ou delictos pelos quaes ha de conceder-se extradição são os seguintes:—

1. Homicidio voluntario (incluido homicidio com premeditação, infanticidio, e envenenamento), tentativa, ou conluio para assassinar.

2. Homicidio simples.

3. Ferimentos voluntarios ou grave lesão corporal.

4. Aggressão da qual resultasse de facto lesão corporal.

5. Falsificação ou adulteração de moeda, quer seja d'especie metallica, quer d'outra qualquer especie representando aquella, ou introdução na circulação de moeda falsificada ou adulterada de qualquer d'aquellas especies.

6. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.

7. Forgery, counterfeiting or altering, or uttering what is forged or counterfeited or altered.

8. Embezzlement or larceny.

9. Malicious injury to property, if the offence be indictable.

10. Obtaining money, goods, or valuable securities by false pretences.

11. Receiving money, valuable security, or other property, knowing the same to have been stolen, embezzled, or unlawfully obtained.

12. Crimes against Bankruptcy Law.

13. Fraud by a bailee, banker, agent, factor, trustee, or director or member, or public officer, of any Company, made criminal by any law for the time being in force.

14. Perjury, or subornation of perjury.

15. Rape.

16. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under 16 years of age.

17. Indecent assault.

18. Administering drugs or using instruments with intent to procure the miscarriage of a woman.

19. Abduction.

20. Bigamy.

21. Child-stealing.

22. Abandoning children, exposing or unlawfully detaining them.

23. Kidnapping and false imprisonment.

24. Burglary or house-breaking.

6. Fabrico intencional de instrumento, utensilio, ou apparelho apropriado ou destinado ao fabrico de moeda falsa.

7. Falsificação, imitação fraudulenta ou viciação, e a passagem ou introdução na circulação do que se falsificou, imitou, ou viciou.

8. Descaminho ou furto.

9. Damno voluntario causado em propriedade alheia, se constituir delicto ou crime.

10. Aquisição fraudulenta de dinheiro, fazenda, ou titulos de valor.

11. Recepção de dinheiro, titulo de valor, ou outra especie de propriedade havendo certeza de ter sido roubada, subtrahida, ou illegitimamente adquirida.

12. Crimes contra a legislação relativa a fallencias.

13. Fraude commetida por depositario, banqueiro, agente, commissario, curador, ou director ou membro ou empregado de companhia que deva reputar-se criminosa em razão de lei vigente.

14. Perjurio ou suborno para perjurar.

15. Violação.

16. Estupro, ou tentativa de estupro, em rapariga menor de 16 annos.

17. Ultrage ao pudôr

18. Propinação de substancias, ou emprego de instrumentos tendentes a produzir aborto.

19. Rapto.

20. Bigamia.

21. Substracção de menores.

22. Abandono de infantes, exposição, ou detenção illegal dos mesmos.

23. Rapto violento e carcere privado.

24. Roubo con arrombamento durante a noite ou arrombamento de domicilio para furtar.

25. Arson.
 26. Robbery with violence.
 27. Any malicious act done with intent to endanger the safety of any person in a railway train.

28. Threats, by letter or otherwise, with intent to extort.

29. Piracy by law of nations.

30. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

31. Assaults on board a ship on the high seas, with intent to destroy life or to do grievous bodily harm.

32. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.

33. Dealing in slaves in such a manner as to constitute a criminal offence against the laws of both States.

Extradition is also to be granted for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

Extradition may also be granted, at the discretion of the State applied to, in respect of any other crime for which, according to the laws of both the Contracting Parties for the time being in force, the grant can be made.

The Portuguese Government will not deliver up any person either guilty or accused of any crime punishable with death.

ARTICLE III.

The Portuguese Government will not grant the extradition of

25. Fogo posto.

26. Furto com violencia.

27. Acto voluntario que ponha em risco á segurança d'alguem em trem de via ferrea.

28. Ameaças por carta ou de outra forma, para realizar extorsão.

29. Pirateria segundo o direito das gentes.

30. Submersão ou destruição de navio no mar, tentativa ou conluio para esse fim.

31. Aggressão a bordo de navio no alto mar no intuito de destruir vidas ou causar grave lesão corporal.

32. Revolta ou conluio para revolta levada a effeito por duas ou mais pessoas a bordo-de embarcação no mar alto contra a autoridade do capitão.

33. Trafico de escravos realizado por forma que constitua violação das leis d'ambos os Estados.

Será tambem concedida a extradição pela cumplicidade em algum dos crimes acima ditos, contanto que tal cumplicidade seja punivel pelas leis de ambas as Partes Contractantes.

Poderá tambem conceder-se extradição a arbitrio do Estado reclamado por qualquer outro crime que, segundo as leis então vigentes d'ambas as Partes Contractantes, a ella poder dar logar.

O Governo Portugez não concederá a extradição de nenhum individuo culpado ou accusado de crime a que seja applicavel pena de morte.

ARTIGO III.

O Governo Portugez não concederá a extradição de qualquer

any Portuguese subject, and Her Britannic Majesty's Government will not grant the extradition of any British subject; but in the case of a naturalized subject, this Article shall only be applicable if the naturalization was obtained previous to the commission of the crime giving rise to the application for extradition.

ARTICLE IV.

The extradition shall not take place if the person claimed on the part of the British Government, or the person claimed on the part of the Portuguese Government, has already been tried and discharged or punished, or is still under trial, within the territories of the two High Contracting Parties respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the British Government, or if the person claimed on the part of the Portuguese Government, should be under examination, or is undergoing sentence under a conviction for any other crime within the territories of the two High Contracting Parties respectively, his extradition shall be deferred until after he has been discharged, whether by acquittal, or on expiration of his sentence, or otherwise.

ARTICLE V.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired

subdito Portuguez, e o Governo de Sua Magestade Britannica não concederá a extradição de qualquer subdito Britannico; mas quando se tratar de um subdito naturalizado só serão applicadas as disposições d'este Artigo no caso de ter sido a naturalisação obtida antes da perpetração do crime que deu logar ao pedido de extradição.

ARTIGO IV.

Não poderá effectuar-se a extradição se o individuo reclamado pelo Governo Britannico ou o individuo reclamado pelo Governo Portuguez já tiver sido julgado e condemnado ou absolvido, ou estiver sujeito ainda a julgamento, no territorio d'alguuma das Altas Partes Contractantes em razão do crime pelo qual tiver sido reclamada a sua extradição.

Se o individuo reclamado pelo Governo Britannico, ou se o individuo reclamado pelo Governo Portuguez, se achar ainda sujeito a processo, ou estiver cumprindo sentença em virtude de condemnação por outro crime no territorio d'uma das Altas Partes Contractantes, demorar-se-ha a sua extradição até que ou em razão de absolvição proferida, ou por ter cumprido sentença, ou por outro motivo esteja livre.

ARTIGO V.

Não se realizará a extradição se subsequentemente á pratica do acto criminoso, ou á instauração do processo criminal, ou á condemnação do reu, resultar isenção de acção criminal ou de punição em razão do tempo de-

by lapse of time, according to the laws of the State applied to.

corrido, segundo as leis do paiz ao qual fôr feita a instancia da extradição.

ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

ARTIGO VI.

Um criminoso refugiado não será entregue se o delicto que motivar o pedido de extradição fôr de caracter politico, ou se elle provar que esse pedido foi de facto apresentado no intuito de o processar ou punir por um delicto de caracter politico.

ARTICLE VII.

A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime, or on account of any other matters, than those for which the extradition shall have taken place, until he has been restored, or had an opportunity of returning, to the State by which he has been surrendered.

This stipulation does not apply to crimes committed after the extradition.

ARTIGO VII.

Um individuo entregue não pode em caso algum ser detido em prisão ou mettido em processo no Estado ao qual fôr concedida a extradição por crime ou em razão de factos diversos dos que determinaram a extradição, emquanto não tiver voltado ou tido occasião de voltar ao Estado pelo qual foi entregue.

Não se applicará esta estipulação aos crimes commettidos depois da extradição.

ARTICLE VIII.

The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

ARTIGO VIII.

O pedido de extradição deverá ser apresentado pelos Agentes Diplomaticos das Altas Partes Contractantes.

Deverão acompanhar o pedido de extradição d'um individuo accusado o mandado de captura expedido pela autoridade competente do Estado reclamante, e documentos que, em face das leis do logar onde estiver o accusado, bastem para justificar a prisão d'este se ali se tivesse perpetrado o crime.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A sentence passed *in contumaciam* is not to be deemed a conviction, but circumstances may cause a person so sentenced *in contumaciam* to be dealt with as an accused person.

ARTICLE IX.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

ARTICLE X.

If the fugitive has been arrested in the British dominions, he shall forthwith be brought before a competent Magistrate, who is to examine him and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the British dominions.

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the British dominions shall admit as valid evidence the sworn depositions or the affirmations of witnesses taken in the dominions of Portugal, or copies thereof, and likewise the warrants and sentences issued therein, and certificates of, or judicial documents stating the fact of, a conviction, pro-

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Se o pedido se referir a individuo previamente condemnado terá de ser acompanhado da sentença condemnatoria proferida contra o criminoso pelo tribunal competente do Estado que requerer a extradição.

Uma sentença de revelia não equivale a uma condemnação; mas dadas certas circumstancias poderá o individuo condemnado á revelia ser tratado como accusado.

ARTIGO IX.

Quando o pedido de extradição fôr feito em harmonia com as precedentes estipulações, as autoridades competentes do Estado requerido procederão á captura do refugiado.

ARTIGO X.

Se o refugiado fôr preso nos dominios Britannicos terá de comparecer immediatamente perante o Magistrado competente, que deverá inquiril-o e proceder a investigações preliminares da causa, como se a prisão se houvesse effectuado em razão de crime commettido nos dominios Britannicos.

Nas investigações a que tiverem de proceder em conformidade com as precedentes estipulações, as autoridades dos dominios Britannicos deverão admittir como testemunho valido os depoimentos ou asserções juradas de testemunhas tomadas nos dominios de Portugal, ou seus traslados, e pela mesma forma os mandados e sentenças proferidos, e attestados ou documentos officiaes affirmativos de

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vided the same are authenticated as follows:—

1. A warrant must purport to be signed by a Portuguese Judge, Magistrate, or officer.

2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a Portuguese Judge, Magistrate, or officer to be the original depositions or affirmations, or to be the true copies thereof, as the case may require.

3. A certificate of or judicial document stating the fact of a conviction must purport to be certified by a Portuguese Judge, Magistrate, or officer.

4. In every case such warrant, deposition, affirmation, copy, certificate, or judicial document must be authenticated either by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Portuguese Minister; but any other mode of authentication for the time being permitted by the law in that part of the British dominions where the examination is taken may be substituted for the foregoing.

ARTICLE XI.

If the fugitive has been arrested in the dominions of Portugal, his surrender shall be granted if upon examination by a competent authority it appears that the documents furnished by the British Government contain sufficient *prima facie* evidence to justify the extradition.

The Portuguese authorities

condemnação proferida, comtanto que esses documentos sejam legalizados pela forma seguinte:—

1. Um mandado terá de ser firmado pelo Juiz, Magistrado, ou funcionario Portuguez.

2. Os depoimentos e asserções e seus traslados devem vir acompanhados de declarações firmadas por Juiz, Magistrado, ou funcionario Portuguez de como são os depoimentos ou asserções originaes ou seus traslados authenticos, segundo cumprir.

3. Um attestado ou documento judicial affirmativo de condemnação proferida deverá ser certificado por Juiz, Magistrado, ou funcionario Portuguez.

4. Em cada causa especial estes mandados, depoimentos, allegações, traslados, attestados, ou documentos officiaes, teem de ser authenticados ou por juramento de testemunhas, ou pela applicação do sello official do Ministro da Justiça ou de outro Ministro de Portugal; poderá porem substituir a precedente outra forma de legalisação reconhecida por lei vigente na parte dos dominios Britannicos onde se effectuar a diligencia.

ARTIGO XI.

Se o refugiado fôr preso nos dominios de Portugal, deverá ser concedida a extradição se do exame a que proceder a autoridade competente resultar que os documentos apresentados pelo Governo Britannico conteem elementos sufficientes *prima facie* para justificar a extradição.

As autoridades Portuguezas

shall admit as valid evidence records drawn up by the British authorities of the depositions of witnesses, or copies thereof, and records of conviction, or other judicial documents, or copies thereof: Provided that the said documents be signed or authenticated by an authority whose competence shall be certified by the seal of a Minister of State of Her Britannic Majesty.

ARTICLE XII.

The extradition shall not take place unless the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition, and that the crime of which he has been convicted is one in respect of which extradition could, at the time of such conviction, have been granted by the State applied to. In Her Britannic Majesty's dominions the fugitive criminal shall not be surrendered until the expiration of fifteen days from the date of his being committed to prison to await his surrender.

ARTICLE XIII.

If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes or offences committed

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considerarão elemento valido as certidões passadas pelas autoridades Britannicas dos depoimentos das testemunhas ou seus traslados, e certidões de sentença condemnatoria ou outros documentos judiciaes ou traslados d'elles: Uma vez que os referidos documentos sejam assignados ou legalizados por uma autoridade cuja competencia seja authenticada com o sello d'um Ministro d'Estado de Sua Magestade Britannica.

ARTIGO XII.

Não se effectuará a extradição se os documentos apresentados não forem bastantes para, segundo as leis do Estado requerido, sujeitar o preso a julgamento se o crime tivesse sido perpetrado no territorio do referido Estado, ou para provar que o preso é o proprio individuo condemnado pelos Tribunaes do Estado requerente, e que o crime por que foi condemnado é d'aquelles pelos quaes ao tempo da condemnação podia o Estado requerido ter concedido a extradição. O criminoso refugiado nos dominios de Sua Magestade Britannica só poderá ser entregue findo o praso de quinze dias contados da entrada na cadeia para aguardar n'ella a occasião da entrega.

ARTIGO XIII.

Se o individuo reclamado por uma das Altas Partes Contratantes nos termos do presente Tratado fôr ao mesmo tempo reclamado por outra ou outras Potencias por outros crimes ou delictos commettidos em seus

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upon their respective territories, his extradition shall be granted to that State whose demand is earliest in date.

ARTICLE XIV.

If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, or within such further time as the State applied to, or the proper Tribunal thereof, shall direct, the fugitive shall be set at liberty.

ARTICLE XV.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place; and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

ARTICLE XVI.

All expenses connected with extradition shall be borne by the demanding State.

ARTICLE XVII.

The stipulations of the present Treaty shall be applicable to the Colonies and foreign possessions of both of the High Contracting Parties, so far as the laws for the time being in force in such Colonies and foreign possessions respectively will allow.

The requisition for the surrender of a fugitive criminal who has taken refuge in any

respectivos territorios, será concedida a extradição ao Estado cuja instancia preceder na data as outras.

ARTIGO XIV.

Se os documentos apresentados dentro de dois mezes contados da data da captura do refugiado, ou no praso de tempo que indicar o Estado requerido ou o Tribunal competente d'esse Estado, não forem sufficientes para se conceder a extradição, o preso será posto em liberdade.

ARTIGO XV.

Todos os objectos apprehendidos ao individuo sujeito a extradição e em seu poder ao tempo da captura serão entregues se a autoridade competente do Estado requerido assim o determinar quando se levar a effeito a extradição; e esta entrega abrangerá não só os objectos que houverem sido subtraídos mas tudo que servir para provar o crime.

ARTIGO XVI.

Todas as despesas relativas a extradição serão custeadas pelo Estado que a reclamar.

ARTIGO XVII.

As estipulações d'este Tratado terão applicação ás Colonias e possessões ultramarinas de ambas as Altas Partes Contractantes até onde o permittirem as leis ao tempo em vigor em taes Colonias e possessões ultramarinas.

O pedido de extradição do criminoso que se houver refugiado em alguma d'essas Colonias

of such Colonies or foreign possessions may be made to the Governor or chief authority of such Colony or possession by the chief Consular authority of the other State in such Colony or possession.

Such requisitions may be disposed of, subject always, as nearly as may be, and so far as the law of such Colony or foreign possession will allow, to the provisions of this Treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender, or to refer the matter to his Government.

The High Contracting Parties shall, however, be at liberty to make special arrangements in their respective Colonies and foreign possessions for the surrender of criminals who may take refuge therein, on the basis, as nearly as may be, and so far as the law of such Colony or foreign possession will allow, of the provisions of the present Treaty.

Requisitions for the surrender of a fugitive criminal emanating from any Colony or foreign possession of either of the High Contracting Parties shall be governed by the rules laid down in the preceding Articles of the present Treaty.

ARTICLE XVIII.

The present Treaty shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties at any time on giving to the

ou possessões ultramarinas poderá ser apresentado ao Governador ou primeira autoridade da Colonia ou possessão de que se tratar pela principal autoridade Consular do outro Estado existente n'essa Colonia ou possessão.

Estes pedidos poderão ser resolvidos sujeitando - os tanto quanto ser possa, e até onde o permittir a lei da Colonia ou possessão ultramarina, ás disposições d'este Tratado, pelo referido Governador ou primeira autoridade a qual todavia terá a liberdade de deferir a extradição ou de referir o assumpto ao seu Governo.

As Altas Partes Contractantes terão comtudo a faculdade de estabelecer accordos especiaes nas suas respectivas Colonias e possessões ultramarinas para a extradição de criminosos que se houverem refugiado n'ellas, to mando por base, tanto quanto possível e até onde o permittir a legislação da Colonia ou possessão, as disposições d'este Tratado.

Pedidos d'extradição d'um criminoso que emanarem de Colonia ou possessão ultramarina d'uma das Altas Partes Contractantes serão regulados pelas prescripções exaradas nos precedentes Artigos d'este Tratado.

ARTIGO XVIII.

O presente Tratado entrará em vigor dez dias depois da sua publicação official segundo as formas prescriptas na legislação das Altas Partes Contractantes. Poderá em qualquer tempo dal-o por findo uma das Altas Partes Contractantes communicando á

other six months' notice of its intention to do so.

The Treaty shall be ratified, and the ratifications shall be exchanged at Lisbon as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Lisbon the seventeenth day of October, in the year of our Lord one thousand eight hundred and ninety-two.

(L.S.)

GEORGE G. PETRE.

outra com a antecipação de seis mezes a intenção de assim fazer.

O Tratado será ratificado, e trocadas as ratificações em Lisboa no mais curto praso possível.

Em testemunho do que os respectivos Plenipotenciarios o assignaram e lhe pozeram o sello das suas armas.

Feito em duplicado em Lisboa aos dezesete dias do mez de Outubro, do anno de nosso Senhor Jesus Christo de mi oitocentos e noventa e dois.

(L.S.)

A. AYRES DE GOUVÊA.

Protocol attached to the Extradition Treaty between Great Britain and Portugal of the 17th October, 1892.

The stipulations of the present Treaty do not apply to extradition between British and Portuguese India, which is reserved for ulterior negotiation.

Done in duplicate at Lisbon, the thirtieth day of November, in the year of our Lord one thousand eight hundred and ninety-two.

Her Britannic Majesty's
Envoy Extraordinary and
Minister Plenipotentiary,

GEORGE G. PETRE.

As estipulações da presente Convenção não são applicaveis á extradição de criminosos entre a India Britannica e a India Portuguesa, a qual fica reservada para ulterior negociação.

Feito em duplicado em Lisboa, aos trinta dias do mez de Novembro, do anno do nascimento de nosso Senhor Jesus Christo de mil oita centos e noventa e dois.

O Ministro e Secretario de
Estado dos Negocios Ex-
trangerios de Sua Mage-
stade Fidelissima,

A. AYRES DE GOUVÊA.

TREATY SERIES. No. 8.

1894.

CONVENTION

BETWEEN

GREAT BRITAIN AND ROUMANIA

RESPECTING

FALSE INDICATIONS OF ORIGIN ON GOODS.

Signed at Bucharest, $\frac{\text{March } 20}{\text{April } 1}$, 1893.

[*Ratifications exchanged at Bucharest, March $\frac{1}{13}$, 1894.*]

*Presented to both Houses of Parliament by Command of Her Majesty.
April 1894.*

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[C.—7309.]

CONVENTION BETWEEN GREAT BRITAIN
AND ROUMANIA RESPECTING FALSE
INDICATIONS OF ORIGIN ON GOODS.

Signed at Bucharest, ^{March 20}_{April 1}, 1893

[Ratifications exchanged at Bucharest, March ¹₁₃, 1894.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Roumania, being mutually desirous of concluding a Convention relating to the suppression of false indications of origin on goods, have named as their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Honourable Charles Hardinge, Her Britannic Majesty's Chargé d'Affaires at Bucharest, &c., &c., &c.;

And His Majesty the King of Roumania, M. Alexandre N. Lahovari, Grand Cross of the Royal Order of the Crown of Roumania, &c., &c., &c., his Minister Secretary of State for Foreign Affairs;

Who, having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles :—

ARTICLE I.

All goods bearing a false indication of origin, in which

[65]

MAIESTATEA Sa Regina Regatului Unit al Marii-Britanii și Irlandei, Împărăteasă a Indiilor, și Maiestatea Sa Regele României, de o potrivă însuflețiți de dorința de a încheia o Convențiune privitoare la represiunea falselor indicațiuni asupra provenienței mărfurilor, au numit ca Plenipotențiarî al Lor, și anume :

Maiestatea Sa Regina Regatului Unit al Marii-Britanii și Irlandei, Împărăteasă a Indiilor, pe Onorabilul Carol Hardinge, Însărcinatul cu Afaceri al Maiestăței Sale Britanice la București;

Și Maiestatea Sa Regele României, pe Domnul Alexandru N. Lahovari, Mare Cruce al Ordinului Regal al Coronei României, &c., &c., &c., Ministrul Său Secretar de Stat la Departamentul Afacerilor Străine;

Carî, după ce și-au comunicat deplinele lor puteri, găsite în bună și regulată formă, s'au înțeles asupra dispozițiunilor următoare :—

ARTICOLUL I.

Orî-ce produs, purtând o falsă indicațiune de proveniență, în

one of the Contracting States or a place situated in one of them shall be directly or indirectly indicated as being the country or place of origin, shall be seized on importation into either of the two States.

The seizure may also be effected in the State where the false indication of origin has been applied, or in that into which the goods bearing the false indication may have been imported.

If the legislation of either of the two States does not sanction seizure on importation, such seizure shall be replaced by prohibition of importation.

If the legislation of either of the two States does not permit seizure in the interior, such seizure shall be replaced by the remedies assured in such case to natives by the law of that State.

ARTICLE II.

The seizure shall be effected either at the request of the proper Government Department, or of an interested party, whether individual or Society, in conformity with the domestic legislation of each State.

ARTICLE III.

The authorities are not bound to effect the seizure of goods in transit.

ARTICLE IV.

The present stipulations do not prevent the vendor from putting his name or address upon goods coming from a country other than that where the sale takes place; but in such case the name or address

care unul din cele două State Contractante, sau o localitate situată în unul dintr'ësele, ar fi, direct sau indirect, arătat ca țară sau ca loc de origină, va fi confiscat la importul în fie-care din cele două State.

Confiscarea se va putea efectua și în Statul unde falsa indicație de proveniență va fi fost pusă, sau în acela unde va fi fost introdus productul însoțit de această falsă indicație.

Dacă legislația unuia din cele două State nu admite confiscarea la import, această confiscare va fi înlocuită prin prohibițiunea importului.

Dacă legislația unuia din cele două State nu admite confiscarea în interior, această confiscare va fi înlocuită prin acțiunile și mijlocele ce legea acestui Stat asigură în asemenea caz naționalelor.

ARTICOLUL II.

Confiscarea va avea loc după cererea fie a Ministerului Public, fie a unei părți interesate, individ sau Societate, conform legislației interioare a fie-cărui Stat.

ARTICOLUL III.

Autoritățile nu vor fi obligate a confisca mărfurile în cas de transit.

ARTICOLUL IV.

Dispozițiunile de față nu împiedică pe vinător să pună numele său adresa sa asupra productelor provenind dintr'o țară diferită de aceea a vințerei; dar, în acest caz, adresa sau numele trebuie să fie însoțite de

must be accompanied by a clear indication in legible characters of the country or of the place of manufacture or production.

ARTICLE V.

The Tribunals of each country shall decide what appellations, on account of their generic character, do not fall within the provisions of the present Convention; regional appellations concerning the origin of products of the vine being, however, not comprised in the reserve provided for by the present Article.

ARTICLE VI.

The stipulations of the present Convention shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to:

India.
The Dominion of Canada.
Newfoundland.
The Cape of Good Hope.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of His

arătarea precisă și în caractere aparente a țerei sau a locului de fabricare sau de producere.

ARTICOLUL V.

Tribunalele fiecărei țări vor decide cari sunt denumirile ce, din cauza caracterului lor generic, nu pot intra în prevederile Convenției de față; numirile regionale de proveniență a produselor vinicole nefiind totuși coprinse în reserva hotărâtă de acest Articol.

ARTICOLUL VI.

Stipulațiunile Convenției de față se vor aplica tutulor Coloniilor și posesiilor străine ale Majestății Sale Britanice, afară de cele aci mai jos arătate și anume:

India.
Canada.
Terra-Nova.
Cap.
Natal.
Noua-Galiă de Sud.
Victoria.
Queensland.
Tasmania.
Australia de Sud.
Australia Occidentală.
Noua Zelandă.

Stipulațiunile Convenției de față se vor aplica ori-căreia din Coloniile sau posesiile străine mai sus arătate, dacă în numele lor se va face notificare în această privință de către Reprezentantul Majestății Sale Britanice pe lângă Majestatea Sa Regele României în timp de un an de la

Majesty the King of Roumania within one year from the date of the exchange of ratifications of the present Convention.

data când se vor fi schimbat ratificările Convenției de față.

ARTICLE VII.

The present Convention shall be ratified, and the ratifications shall be exchanged at Bucharest as soon as possible.

It shall come into operation one month after the exchange of ratifications, and shall remain in force until the expiration of one year from the day on which either of the two High Contracting Parties may give notice of its intention to terminate the same.

In witness whereof the Undersigned have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Bucharest, the first day of April (the twentieth day of March), in the year of our Lord one thousand eight hundred and ninety-three.

(L.S.) CHARLES HARDINGE.
(L.S.) AL. LAHOVARI.

ARTICOLUL VII.

Convenția de față se va ratifica, iar ratificările se vor schimba la Bucuresci cât se va putea mai curând.

Ea va intra în vigoare la o lună după schimbul ratificărilor și va avea tărie până la expirarea anului care va urma după denunțarea făcută de una sau de cealaltă din cele două Inalte Părți Contractante.

Drept care subsemnații au semnat Convențiunea de față și au investit-o cu sigiliile lor.

Făcută în dublu exemplar, la Bucuresci, în ânteia zi a lui Aprile (a două-zecea zi a lui Martie), anul Mântuirii una miuă opt-sute nouă-zeci și trei.

TREATY SERIES. No. 14.

1894.

T R E A T Y

BETWEEN

GREAT BRITAIN AND ROUMANIA

FOR THE

MUTUAL SURRENDER OF FUGITIVE
CRIMINALS.

Signed at Bucharest, March $\frac{9}{21}$, 1893.

[*Ratifications exchanged at Bucharest, March $\frac{1}{13}$, 1894.*]

Presented to both Houses of Parliament by Command of Her Majesty.
May 1894.

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[C.—7357.]

TREATY BETWEEN GREAT BRITAIN AND
ROUMANIA FOR THE MUTUAL SURRENDER
OF FUGITIVE CRIMINALS.

Signed at Bucharest, March $\frac{9}{11}$, 1893.

[Ratifications exchanged at Bucharest, March $\frac{1}{13}$, 1894.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Roumania, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; the said High Contracting Parties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Honourable Charles Hardinge, Her Britannic Majesty's Chargé d'Affaires at Bucharest, &c., &c.;

And His Majesty the King of Roumania, M. Alexandre N. Lahovari, Grand Cross of His Order of the Crown of Roumania, &c., &c., His Minister-

MAIESTATEA Sa Regina Regatului-Unit al Marelui Britanii și Irlandei, Împărăteasă a Indiilor, și Maiestatea sa Regele Romaniei găsiind cu cale, în vederea unei mai bune administrații a justiției și pentru a preîntîmpina crimelle comise pe teritoriile lor respective, ca indiviđii, piriți saũ dovediți că aũ comis crimele mai la vale enumerate, și cari prin fugă s'ar fi sustras de la urmăriirile justiției, să fie, în ore-cari circumstanțe, estradați în mod reciproc; ȃisele Inalte Părți Contractante aũ numit ca Plenipotențiarȃ ai Lor, în scopul de a încheia un Tractat, și anume:

Maiestatea Sa Regina Regatului-Unit al Marelui Britanii și Irlandei, Împărăteasă a Indiilor, pe Onorabilul Carol Hardinge, Însărcinat cu Afacerȃ al Maiestateȃi Sale Britanice la Bucuresci, &c., &c.;

Si Maiestateȃi Sa Regele Romaniei, pe Domnul Alexandru N. Lahovari, Mare - Cruce al Ordinului Său al Coroneȃi Romaniei, &c., &c., Ministrul Său

Secretary of State for Foreign Affairs;

Who, having communicated to each other their respective Full Powers, found in good and due form, have agreed upon, and concluded the following Articles:—

ARTICLE I.

The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime or offence committed in the territory of the one Party, shall be found within the territory of the other Party, under the circumstances and conditions stated in the present Treaty.

ARTICLE II.

The crimes or offences for which the extradition is to be granted are the following:—

1. Murder, or attempt, or conspiracy to murder.

2. Manslaughter.

3. Assault occasioning actual bodily harm. Maliciously wounding or inflicting grievous bodily harm.

4. Counterfeiting or altering money, or uttering counterfeit or altered money.

5. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.

6. Forgery, counterfeiting, or altering or uttering what is forged, or counterfeited, or altered.

7. Embezzlement or larceny.

Secretar de Stat la Departamentul ul Afacerilor Străine;

Cari, dupe ce s'au comunicat deplinele lor puteri, aflate în bună și cuvenită formă, s'au învoit asupra Articolelor următoare:—

ARTICOLUL I.

Înalte Părți Contractante se obligă a își preda reciproc indivizii cari, urmăriți sau condamnați pentru o crimă sau un delict comis pe teritoriul uneia din Părți, ar fi dovediți pe teritoriul celei-alte în circumstanțele și sub-condițiile prevădute de Tratatul de față.

ARTICOLUL II.

Estradarea se va acorda pentru crimele sau delictele următoare:—

1. Omor sau tentativă de omor, sau complot având de scop această crimă.

2. Omucidere fără precugetare sau pândire.

3. Loviri și răniri grave.

4. Contrafacere sau alterare de monede; punerea în circulație a monedelor false sau alterate.

5. Fabricarea cu intenție a unui instrument, ustensil, sau uneltă destinată la contrafacerea monedelor țerei.

6. Falsuri în scripte, titluri, efecte sau valori; alterarea sau punerea în circulare a tot ce este ast-fel falsificat ori contrafăcut ori alterat.

7. Sustragerea frauduloasă sau furtul.

8. Malicious injury to property, by explosives or otherwise, if the offence be indictable.

9. Obtaining money, goods, or valuable securities by false pretences.

10. Receiving money, valuable security, or other property knowing the same to have been stolen, embezzled, or unlawfully obtained.

11. Crimes against bankruptcy law.

12. Fraud by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any Company, made criminal by any law for the time being in force.

13. Perjury, or subornation of perjury.

14. Rape.

15. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under 14 years of age.

16. Indecent assault.

17. Procuring miscarriage, administering drugs or using instruments with intent to procure the miscarriage of a woman.

18. Abduction.

19. Child stealing.

20. Abandoning children, exposing or unlawfully detaining them.

21. Kidnapping and false imprisonment.

22. Burglary or housebreaking.

23. Arson.

24. Robbery with violence.

25. Any malicious act done with intent to endanger the

8. Distrugerea ori degradarea ori-cărei proprietăți prin explosive sau alt-fel, când faptul este încriminat și pedepsit cu pedepse criminale sau corecționale.

9. Escrocherie de bani, valori sau alte obiecte sub false pretexte.

10. Tăinuire frauduloasă de bani, valori sau alte obiecte, provenind din escrocherie, furt sau deturnare.

11. Crime contra legilor asupra bancrutei.

12. Frauda (abus de încredere) unui administrator bancher, agent, comisionar, curator sau director, ori membru ori funcționar al unei societăți oarecare, dacă faptul este pedepsit de legile în vigoare.

13. Mărturia mincinosă sau subornațiunea martorilor.

14. Violul.

15. Atentat la pudore asupra persoanei unei fete mai mică de 14 ani, sau tentativa acestui fapt.

16. Atentat la pudore cu violență.

17. Avort, administrare de substanțe sau întrebuințare de instrumente în intențiunea de a provoca avortul.

18. Răpire de minoră.

19. Furt de copii.

20. Abandonare, expozițiune sau sechestrare ilegală de copii.

21. Sechestrare sau detențiune ilegală.

22. Efracțiunea sau escalada unei locuințe și a dependințelor sale în scopul de a comite un delict.

23. Incendiul.

24. Furt cu violență.

25. Ori-ce act comis cu intenție de a pune în pericol viața

safety of any person in a railway train.

26. Threats by letter or otherwise, with intent to extort.

27. Piracy by law of nations.

28. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

29. Assaults on board a ship on the high seas, with intent to destroy life, or do grievous bodily harm.

30. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.

31. Dealing in slaves.

Extradition is also to be granted for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

ARTICLE III.

Either Government may, in its absolute discretion, refuse to deliver up its own subjects to the other Government.

ARTICLE IV.

The extradition shall not take place if the person claimed has already been tried and discharged or punished, or is still under trial, within the territories of the two High Contracting Parties respectively, for the crime for which his extradition is demanded.

If the person claimed should be under examination, or is undergoing sentence under a conviction, for any other crime within the territories of the

persónelor aflate într'un tren de drum de fier.

26. Amenințări, scrise sau alt-fel, făcute în scop de extorsiune.

27. Piraterie, considerată ca crimă dupe dreptul ginților.

28. Inecarea, naufragierea sau distrugerea unui vas pe mare, sau tentativa saă complotul avënd această crimă de scop.

29. Atacarea pe bordul unui vas în largul mării, în scop de omucidere sau pentru a faptui grave lesiuni corporale.

30. Revolta sau complotul de revoltă, a două sau mai multe persóne pe bordul unui vas în largul mării, contra autoritaței capitanului.

31. Negotul cu sclavi.

Estradarea va avea de asemenea loc pentru complicitate la una din crimele mai sus pomenite, numai dacă complicitatea este pedepsită de legile celor două Părți Contractante.

ARTICOLUL III.

Fie-care din cele două Guverne va avea plină și întregă voia se refuse celui-alt estradarea propriilor săi supuși.

ARTICOLUL IV.

Estradarea nu se va acorda dacă individul reclamat a fost deja judecat, achitat sau pedepsit, sau se gasesce încă sub judecată într'unul din teritoriile celor două Inalte Părți Contractante, pentru chiar crima din cauza căreia se cere estradarea.

Dacă persóna reclamată se află în prevenție, sau dacă, fiind condamnată, și suferă pedépsa pe teritoriul uneia din cele două Părți Contractante pentru o

two High Contracting Parties respectively, his extradition shall be deferred until after he has been discharged, whether by acquittal or on expiration of his sentence, or otherwise.

altă crimă, estradarea se va amâna până la punerea acelei persoane în libertate, fie că va fi fost achitată, fie că 'și va fi terminat pedeapsa, fie pentru ori-ce alt cuvânt.

ARTICLE V.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

ARTICOLUL V.

Estredarea nu va avea loc dacă, dupe perpetrarea crimei, sau dupe urmăririi, sau condamnare, prescripția urmăririlor sau a pedepsei este dobândită dupe legile țerei căreia se adresează cererea.

ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

ARTICOLUL VI.

Criminalul fugar nu va fi estradat dacă delictul pentru care estradarea se cere este considerat ca un delict politic, sau dacă individul dovedește că cererea de estradare a fost făcută, în realitate, în scopul de a'l urmări sau de a 'l pedepsi pentru un delict cu caracter politic.

ARTICLE VII.

A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place, until he has been restored or had an opportunity of returning to the State by which he has been surrendered.

This stipulation does not apply to crimes committed after the extradition.

ARTICOLUL VII.

Individul care va fi fost predat, nu va putea, în nici într'un cas, în țera căreia s'a acordat estradiția, să fie ținut în arest sau să fie urmărit pentru vre-o crimă sau fapte altele decât acelea cari motivase estradarea, afară numai dacă a fost întors, sau dacă va fi avut ocasiunea de a se reîntórse el însuși în Statul care 'l estradase.

Acastă stipulațiune nu este aplicabilă crimelor comise dupe estradare.

ARTICLE VIII.

The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties respectively.

The requisition for the extradition of the accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A sentence passed *in contumaciam* is not to be deemed a conviction, but a person so sentenced may be dealt with as an accused person.

ARTICLE IX.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

ARTICLE X.

If the fugitive has been arrested in the British dominions, he shall forthwith be brought before a competent Magistrate, who is to examine him and to conduct the preliminary investigation of the case, just as if

ARTICOLUL VIII.

Estradarea se va cere prin organul agenților diplomatici respectivi ai celor două Inalte Părți Contractante.

Cererea de estradare a unui prevenit va trebui să fie însoțită de un mandat de arestare emis de autoritatea competentă a Statului care cere, și de dovezile cari, dupe legile locului unde prevenitul a fost dovedit, ar justifica arestarea lui, dacă actul pedepsit ar fi fost comis chiar acolo.

Dacă cererea de estradare privesce pe o persoană deja condamnată, ea trebuie să fie însoțită de sentința de condamnare care a fost dată contra culpabilului, de Tribunalul competent al Statului care cere.

O sentință dată în lipsă nu va fi considerată ca o condamnare; dar o persoană ast-fel condamnată va putea fi tratată ca o persoană urmărită.

ARTICOLUL IX.

Dacă cererea de estradare este făcută în conformitate cu stipulațiunile precedente, autoritățile competente ale Statului de la care se cere vor proceda la arestarea fugarului.

ARTICOLUL X.

Dacă fugarul este arestat pe teritoriul Britanic, el va fi îndat dus înaintea unui Magistrat competent, care va trebui să-l asculte și să procedă la examinarea preliminară a afacerii în același chip, ca și când arestarea

the apprehension had taken place for a crime committed in the British dominions.

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the British dominions shall admit as valid evidence the sworn depositions or the affirmations of witnesses taken in Roumania, or copies thereof, and likewise the warrants and sentences issued therein, and certificates of, or judicial documents stating the fact of, a conviction, provided the same are authenticated as follows:—

1. A warrant must purport to be signed by a Judge, Magistrate, or Judicial Officer of Police of Roumania.

2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a Judge, Magistrate, or Judicial Officer of Police of Roumania, to be the original depositions or affirmations, or to be the true copies thereof, as the case may require.

3. A certificate of or judicial document stating the fact of a conviction must purport to be certified by a Judge, Magistrate, or Judicial Officer of Police of Roumania.

4. In every case such warrant, deposition, affirmation, copy, certificate, or judicial document must be authenticated either by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or of Foreign Affairs of Roumania; but any other mode of authentication for the time being permitted by the law in that part of the British dominions

ar fi avut loc pentru o crimă comisă pe teritoriul Britanic.

Autoritățile Marelui Britani, când vor proceda la examinarea hotărâtă prin stipulațiunile precedente, vor trebui să admită ca dovezi deplin valabile deposițiunile asermantate sau afirmările făcute în România, sau copiile acestor piese, precum și mandatele de arestare și sentințele date în această țară, precum și certificatele de condamnare sau piesele judiciare constatând faptul unei condamnări, cu condițiune ca aceste documente să fi fost autentificate în modul următor:—

1. Un mandat trebuie să fie semnat de un judecător, Magistrat sau ofițer al poliției judiciare din România.

2. Deposițiunile sau afirmațiunile, sau copiile acestora, trebuie să fie semnate de un judecător, Magistrat sau ofițer al poliției judiciare din România, constatând că aceste depuneri sau afirmări sunt în original sau în copie certificată, dupe casuri.

3. Un certificat de condamnare sau un document judiciar constatând faptul unei condamnări trebuie să fie certificate de un judecător, Magistrat sau ofițer al poliției judiciare din România.

4. Aceste mandate, depuneri, afirmări, copii, certificate sau documente judiciare, trebuie să fie autentificate, în fie-care cas, sau prin jurământul unui martor, sau prin punerea sigilului oficial al Ministerului Justiției, sau al afacerilor străine al României; totuși, piesele mai sus pomenite vor putea fi autentificate și în ori-ce alt chip care ar fi recunoscut de legile locale în

where the examination is taken, may be substituted for the foregoing.

vigore în acea parte a teritoriului Britanic, unde examinarea afacerii ar avea loc.

ARTICLE XI.

ARTICOLUL XI.

On the part of the Roumanian Government, the extradition shall take place as follows in Roumania:

The Minister, or other Diplomatic Agent of Her Britannic Majesty in Roumania, shall send to the Minister for Foreign Affairs, in support of each demand for extradition, an authentic and duly legalized copy either of a certificate of condemnation, or of a warrant of arrest against an incriminated or accused person, showing clearly the nature of the crime or offence on account of which proceedings are being taken against the fugitive. The judicial document so produced shall be accompanied by a description and other particulars serving to establish the identity of the person whose extradition is claimed.

In case the documents produced by the British Government to establish the identity, and the particulars gathered by the Roumanian police authorities for the same purpose, should be deemed to be insufficient, notice thereof shall forthwith be given to the Minister or other Diplomatic Agent of Her Britannic Majesty in Roumania, and the individual whose extradition is desired, if he has been arrested, shall remain in detention until the British Government has produced new elements of proof to establish his identity, or to clear up any other difficulties arising in the examination.

Din partea Guvernului Român estradarea va avea loc în România precum urmează:

Ministrul, sau orice alt Agent Diplomatic al Majestății Sale Britanice în România, va trimite Ministrului Afacerilor Străine, ca basă a fiecărei cereri de estradare, expedițiunea autentică și în regulă legalizată, sau a unui certificat de condamnare sau a unui mandat de arestare, contra persoanei inculpate sau acuzate, arătând limpede natura crimei sau delictului din cauza căruia fugarul este urmărit. Documentul judiciar, astfel produs, va fi însoțit de semnalmente și de alte informațiuni putând se servescă la constatarea identității individului reclamat.

Dacă s'ar întâmpla ca documentele produse de Guvernul Britanic pentru a constata identitatea, și informațiunile culese de agenții poliției Române pentru același scop, să fie recunoscute neîndestulătoare, se va avisa despre acesta îndată Ministrul sau Agentul Diplomatic al Majestății Sale Britanice în România; iar individul urmărit, dacă a fost arestat, va continua să fie deținut până ce Guvernul Britanic va putea produce noi elemente de dovezi spre a constata identitatea sa și a da lumină asupra altor greutăți de examinare.

ARTICLE XII.

The extradition shall not take place unless the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition, and that the crime of which he has been convicted is one in respect of which extradition could, at the time of such conviction, have been granted by the State applied to. In Her Britannic Majesty's dominions the fugitive criminal shall not be surrendered until the expiration of fifteen days from the date of his being committed to prison to await his surrender.

ARTICLE XIII.

If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes or offences committed upon their respective territories, his extradition shall be granted to that State whose demand is earliest in date.

ARTICLE XIV.

If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, or within such further time as the State applied to, or the proper Tribunal thereof shall

ARTICOLUL XII.

Estradarea nu va avea loc de cât în cazul când dovețile produse vor fi fost găsite îndestulătoare dupe legile Statului de la care se cere, fie pentru a îndreptăți darea în judecată a deținutului, în cazul când crima va fi fost comisă pe teritoriul Țării Stat, fie pentru a constata identitatea deținutului cu individul condamnat de Tribunalele Statului care cere, și să dovedească că crima de care a fost recunoscut culpabil ar fi putut să dea loc la estradare din partea Statului de la care se cere, la epoca condamnării sale. Estradarea fugarului nu va avea loc în teritoriile Majestății Sale Britanice, de cât dupe trecerea unui timp de cinci-spre-zece zile de la data întemnițării în scopul estradării.

ARTICOLUL XIII.

Dacă individul reclamat de una din cele două Inalte Părți Contractante, în executarea Tratatului de față, mai este reclamat de una sau mai multe alte Puteri, pe motivul unor alte crime sau delictelor comise pe teritoriile lor respective, estradarea se va acorda Statului a cărui cerere poartă o dată mai veche.

ARTICOLUL XIV.

Fugarul va fi pus în libertate dacă nu se vor putea produce dovești îndestulătoare pentru a motiva cererea de estradare în timp de două luni din ziua arestării sau până la ori-că alt termen mai depărtat ce va fi fost

direct, the fugitive shall be set at liberty.

arătat de Statul de la care se cere saŭ de Tribunalul competent al acestuŭ Stat.

ARTICLE XV.

All articles seized which were in the possession of the person to be surrendered, at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place, and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

ARTICOLUL XV.

Obiectele găsite asupra individuluŭ reclamat în momentul arestărei sale, dacă autoritatea competentă a Statuluŭ de la care se cere a ordonat remiterea lor vor fi predate atunci când estradarea va avea loc; această predare nu va cuprinde numai obiectele furate, dar și ori-ce alt ar putea servi ca piesă de convingere.

ARTICLE XVI.

All expenses connected with extradition shall be borne by the demanding State.

ARTICOLUL XVI.

Tôte cheltuelile ocașionate de o cerere de estradare vor fi în sarcina Statuluŭ care cere.

ARTICLE XVII.

The stipulations of the present Treaty shall be applicable to the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws for the time being in force in such Colonies and foreign possessions respectively will allow.

The requisition for the surrender of a fugitive criminal who has taken refuge in any of such Colonies or foreign possessions may be made to the Governor or chief authority of such Colony or possession by any person authorized to act in such Colony or possession as a Consular officer of Roumania.

Such requisitions may be disposed of, subject always, as nearly as may be, and so far as the law of such Colony or

ARTICOLUL XVII.

Stipulațiunile Tractatuluŭ de față vor fi aplicabile coloniilor și posesiunilor străine ale Maiesăței Sale Britanice pe cât se va putea dupe legile în vigoare în aceste colonii și posesiuni străine.

Cererea de estradare a unui criminal care s'a refugiat în vreuna din aceste colonii saŭ posesiuni străine se va putea adresa Guvernatoruluŭ saŭ autorității superioare a acesteŭ Colonii saŭ posesiune de către ori-ce persoană autorisată să funcționeze în această Colonie saŭ posesiune ca autoritate Consulară a Românieŭ.

Guvernatorul saŭ autoritatea superioară mai sus menționată va decide în privința unor asemenea cereri, conformându-se,

foreign possession will allow, to the provisions of this Treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender or to refer the matter to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British Colonies and foreign possessions for the surrender of criminals from Roumania who may take refuge within such Colonies and foreign possessions, on the basis, as nearly as may be, and so far as the law of such Colony or foreign possession will allow, of the provisions of the present Treaty.

Requisitions for the surrender of a fugitive criminal emanating from any Colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.

ARTICLE XVIII.

The present Treaty shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties at any time on giving to the other six months' notice of its intention to do so.

The Treaty shall be ratified, and the ratifications shall be exchanged at Bucharest as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

pe cât se va putea, dupe legile acestor coloniî saû posesiuni străine, cu stipulaţiunile Tractatului de faţă. Va avea totuşi libertatea de a acorda estradarea saû de a supune casul Guvernului său.

Se rezervăză totuşi Maiestăţei Sale Britanice, conformându-se, pe cât se va putea, dupe legile acestur Coloniî saû posesiuni străine, cu stipulaţiunile Tractatului de faţă, de a face arangamente speciale în Coloniile saû posesiunile străine pentru estradarea criminalilor din România cari ar fi găsit refugiu în aceste Coloniî saû posesiuni străine.

Cererile privitoare la estradarea criminalilor fugiţi dintr'una din aceste Coloniî saû posesiuni străine ale Majestăţii Sale Britanice, vor fi tratate dupe dispoziţiunile Articolelor precedente ale Tractatului de faţă.

ARTICOLUL XVIII.

Convenţia de faţă va fi executorie dupe a decea şi de la promulgarea sa, în formele prescise de legile celor două ţări. Fie-care din Inaltele Părţi Contractante va putea ori şi când să pună capăt acestui tractat, avisând pe cea - alta despre intenţiunea sa cu şese luni înainte.

Convenţia de faţă se va ratifica şi ratificările se vor schimba la Bucuresci cât se va putea mai curând.

Drept care, Plenipotenţiarii respectivi au semnat această Convenţiune şi au pus pe dâna sigiliile armelor lor.

Done in duplicate at Bucharest, the twenty-first (ninth) day of March, in the year of Our Lord one thousand eight hundred and ninety-three.

(L.S.)

CHARLES HARDINGE.

Făcută în dublu original, la București, în a două-zeci și una (nou'a) zi a lui Martie, anul Mântuirii una miă opt-sute nouă-zeci și trei.

(L.S.) AL. LAHOVARI.

Protocol.

At the moment of proceeding to the signature of the Treaty of Extradition concluded this day, the undersigned Plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and of His Majesty the King of Roumania, have agreed upon the following declaration:—

The Roumanian Government may in its absolute discretion refuse to deliver up any person charged with a crime punishable with death.

This Protocol shall have the same force and the same duration as the Treaty of Extradition signed to-day.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Bucharest, the 21st (9th) March, 1893.

(L.S.)

CHARLES HARDINGE.

În momentul de a proceda la semnătura Convenției de extraditație încheiată astăzi, subsemnații, Plenipotențiarii ai Maiestății Sale Reginei Regatului Unit al Marelui-Britanii și Irlandei, Împărătesă a Indiei, și ai Maiestății Sale Regelui României, au convenit asupra declarațiunei următoare:—

Guvernul Român are absolută libertate d'a refuza estradarea orî căreî persône acusată de o crimă pedepsită cu mörte.

Protocolul de față va avea aceeași forță și aceeași durată ca și Convenția de estradare semnată astăzi.

Spre credința căroră Plenipotențiarîi respectivî l-au semnat și l-au întărit cu sigilele lor.

Facut in dublu original, la București, in 21 (9) Martie, 1893.

(L.S.) AL. LAHOVARI.

Protocol explanatory of § 21 of Article II of the Treaty of Extradition between Great Britain and Roumania.

IN order to avoid the possibility of any misunderstanding arising from the present text of § 21 of Article II of the Treaty of Extradition concluded between Great Britain and Roumania on the 21st (9th) of March, 1893, the undersigned Plenipotentiaries, duly authorized thereto by their respective Governments, have agreed as follows:—

The fact of having kidnapped or falsely imprisoned one or more persons will not admit of a requisition for extradition being made unless the act shall have been committed by private individuals. No such requisition can be made as against public functionaries who may have been guilty of the act in question while in the performance of their duties.

The present Protocol shall be considered as approved and sanctioned by the respective Governments without any special ratification, by the sole fact of the exchange of the ratifications of the Treaty to which it refers.

Done in duplicate at Bucharest, the thirteenth (first) day of March, in the year of our Lord one thousand eight hundred and ninety-four.

(L.S.) JOHN WALSHAM.

PENTRU a evita orî-ce neînțelegere ce ar putea rezulta din redacția actuală a § 21 de sub Articolul II al Convențiunei de Extradare încheiată între Marea Britaniă și România la 21 (9) Martie, 1893, subsemnații Plenipotențiarî autorizați în regulă pentru acesta de către Guvernele lor respective au convenit asupra celor ce urmează:—

Faptul de a fi sechestrat sau deținut în mod ilegal una sau mai multe persoane, nu va putea motiva cererea de extradare de cât când el a fost săvârșit de către particulari. O asemenea cerere de extradare nu va putea fi făcută cu privire la funcționari publici cari s'ar fi făcut vinovați de faptul în chestiune în exercițiul funcțiunilor lor.

Protocolul de față se va considera ca aprobat și sancționat de către Guvernele respective prin faptul însuși al schimbului ratificărilor convențiunei la care se rapoartă, fără vre o altă ratificare specială.

Făcut în dublu exemplar la Bucuresc, în trei-spre decea (ântâia) zi a lui Martie, anui Mântuirii una miiă opt-sute nouăzeci și patru.

(L.S.) AL. LAHOVARI.

SIAM. No. 1 (1894).

CORRESPONDENCE

RESPECTING THE

AFFAIRS OF SIAM.

*Presented to both Houses of Parliament by Command of Her Majesty.
August 1894.*

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Correspondence respecting the Affairs of Siam.

No. 1.

Mr. Gould to the Marquis of Salisbury.—(Received August 23.)

My Lord,

Bangkok, July 10, 1887.

ON the 1st instant I had the honour to report, by telegram, that the Chin Haws had taken the Siamese town of Luang Prabang.

I now beg to lay before your Lordship such detailed account of this occurrence as I am able to supply.

It appears from the accounts given me by the Siamese authorities and the French Chargé d'Affaires that on the 7th June a party of some 500 men, of which some were "Chin Haws" and others people of Muang Lai, appeared before Luang Prabang under the leadership of a son of the Chief of Muang Lai.

This place, Muang Lai, is situated to the north-east of Luang Prabang, and the Siamese claim it as belonging to Siam. It is also claimed by the French as belonging to Annam. The Chinese also have a claim to it.

The late expedition from Bangkok under Phra Na Wai entered the territory held by Muang Lai, and at Muang Tèng met with and made prisoners of some of the sons of the Lai Chief and brought them to Bangkok, where they now are. They are, I am informed, well treated, and are held rather as hostages than prisoners. The French Chargé d'Affaires has taken an interest in their condition, and appears to have free access to them.

After the seizure of the Muang Lai people at Muang Tèng the Siamese left a garrison at that place, but after the return of the Siamese main body to Bangkok, the people from Muang Lai quickly drove out the Siamese garrison and reoccupied the place.

The present advance from Muang Lai of this party of mixed Chinese and Muang Lai people is the counter-stroke provoked by the Siamese expedition.

On their arrival before the town of Luang Prabang they found there the old Chief, a man approaching 80 years of age, the second Chief, and a Siamese Commissioner from Bangkok. M. Pavie, the French Vice-Consul, was also in the town. The appearance of the Chin Haw party threw the people and authorities of Luang Prabang into the utmost consternation. The Siamese had taken down with them to Bangkok many of the leading men of Luang Prabang, and the place was consequently in an unusually defenceless condition. M. Pavie is said to have urged upon the Chief the desirability of preparing to resist the Chin Haws, but the Siamese Commissioner, being suspicious of M. Pavie, prevented the Chief from taking the latter's advice, and then, being himself panic-stricken, got into his boat and went down the river to Paklay, leaving the old Chief to deal as he could with his unpleasant visitors. Some of the Chin Haws and their leaders were then, it appears, admitted into the city, and had interviews with the Chief.

M. Pavie now got into his boats, and went over to the other side of the river to await events. The Chin Haws, finding every one in the city afraid of them, began to be insolent, and informed the Chief that they had come to ransom the Muang Lai people whom the Siamese had, as above stated, carried off from Muang Tèng. The Chin Haws also are said to have asked the Chief how it was that he had not paid his tribute to China. Finally, they demanded to be lodged in the Chief's own house, and this being refused them, they pretended to inspect another place offered them, which they declared

unsuitable, and then suddenly began a general attack on the people of Luang Prabang. They met with no serious resistance, and the Chief with difficulty, and it is said only by the assistance of some men sent over by M. Pavie to his aid, succeeded in getting into his boats and crossed the river to where M. Pavie was, the Chin Haws firing upon him, and killing many of the paddlers. M. Pavie then got into the Chief's boat, and remanned it with his own men. The Chief and M. Pavie together then made the best of their way down stream, pursued some distance by the Chin Haws. Luang Prabang was thus left to its fate, and the Chief and M. Pavie joined the Siamese Commissioner at Paklay. From this place M. Pavie sent a letter to the French Chargé d'Affaires at Bangkok, who was thus enabled to be the first to inform the Siamese of what had occurred. The actual fight in Luang Prabang and the flight of the Chief took place on the 10th June, and not on the 7th, as reported in my telegram.

The latest news is dated the 24th June from Paklay, and is to the effect that the Chin Haws having seized all treasure and arms, and having executed the second Chief of Luang Prabang, who was unfortunately captured, returned northwards.

The Siamese Acting Foreign Minister informs me that a fresh expedition from Bangkok will leave in September, and that, meanwhile, orders have been sent to Nan and the neighbouring Siamese provinces to send assistance to Luang Prabang, and that two companies of Siamese soldiers are to be sent up at once. The Siamese Foreign Minister further informed me that the Government intended to take advantage of this opportunity to assume the direct administration of the Government of Luang Prabang, leaving the local Chief only a nominal authority.

The French Chargé d'Affaires informs me that a French Commissioner will accompany the new Siamese expedition, and that the French intend to send a force of their own from Hanoi to Muang Lai, and that this expedition will advance in October, and that the preliminaries of a settlement of the frontier between Siam and Annam in that region will be arranged. A Siamese Commissioner is to accompany this French expedition, and a Siamese official, named Phra Chollathan, has been ordered to hold himself in readiness to perform this duty.

Count Kergaradec says that the French have determined to secure Muang Lai for themselves, stating it to be a place essential to them from a strategic point of view. The place itself is described as a mere village. There is little doubt that, between the French and the Siamese, the Chin Haws, unless they receive support from China, will before very long be stamped out.

The statement that the Chin Haw leaders, on arriving at Luang Prabang, inquired why the tribute to China had not been paid, is curious, and it is to be hoped, for the sake of the Siamese, that this does not indicate any intention on the part of the Chinese to support the Chin Haws against the Siamese. Such support, even if only secretly given, would render it almost impossible to secure the north from such raids as the one lately made on Luang Prabang.

The inhabitants of the Eastern Laos are evidently utterly incapable of offering any resistance at all, and the climate has been proved to be very deadly to the Siamese soldiery from Siam proper.

I have in this despatch used the term "Chin Haws" as the word applied by the Siamese to the Chinese brigands who formed the formidable part of the invaders of Luang Prabang, but the term is, I believe, only properly applied to Chinese from Yunnan, whereas the brigands at present troubling the Siamese appear to be the Black Flags of the French, and speak the Cantonese dialect.

I have, &c.
(Signed) E. B. GOULD.

No. 2.

Mr. Gould to the Marquis of Salisbury.—(Received December 12.)

(Extract.)

Bangkok, November 6, 1887.

I HAVE the honour to report the arrival in Bangkok of two French military officers named Paul Cupet, Captain of the 3rd Zouaves, and Auguste Nicolon, Lieutenant of the 4th Regiment of Tirailleurs Tonkinois. These two gentlemen will accompany the Siamese Expeditionary Force which will leave Bangkok in a few days to proceed to the north-east frontier, with the aim of chastising and, if possible, finally suppressing the Chin Haws, whose late raid upon Luang Prabang I reported to your Lordship in my despatch of the 10th July, 1887.

I am informed by the French Chargé d'Affaires and by the Siamese Foreign Minister

that the objects of these French officers in accompanying the Siamese expedition are twofold: first, to prevent any possibility of collision between the Siamese forces sent from Bangkok and the French forces sent from Tonquin, which are likely to meet in the debatable land lying between Siamese and Tonquin territory. The second object of the French officers is to make an inspection of the boundary districts preliminary to a delimitation of the frontier.

Siamese Commissioners will accompany with similar objects the French troops from Tonquin.

It is too early yet to say how far the French rights may extend, but it is probable that they will claim as the proper boundary the watershed between the Mekong River and the streams which fall into the Gulf of Tonquin.

No. 3.

The Marquis of Salisbury to the Earl of Lytton.

My Lord,

Foreign Office, April 3, 1889.

THE French Ambassador called upon me to-day, by appointment, to make a proposal for the neutralization of Siam. He stated that the French Government had a twofold object in view. They wished to establish a strong independent Kingdom of Siam, with well-defined frontiers on both sides; and they desired to come to an arrangement by which a permanent barrier might be established between the possessions of Great Britain and France in the Indo-Chinese Peninsula. Such an arrangement would be advantageous to both countries, and would prevent the complications which otherwise might arise between them.

It would be necessary, in the first instance, that the frontier between Cochin China and Siam should be fixed, and Her Majesty's Government would no doubt desire a settlement of the boundaries of Burmah.

As regarded the frontier of Cochin China, the French Government did not wish to extend it to Luang Prabang, but they would propose to draw a line from a point nearly due east of that place southwards to the Mekong, and below that point to make the river the dividing line between the two countries until it entered the territory of Cambodia. They considered that, both on the French and English side, the boundaries of Siam should be defined up to the Chinese frontier.

I said that, while fully sympathizing with the general objects indicated by his Excellency, I was unable, without fuller particulars as to the contemplated arrangements, to express an opinion on his proposals; but that I would have the question examined, and that I should be glad if he could let me have more exact details as to the proposed line of frontier between Cochin China and Siam.

I am, &c.

(Signed) SALISBURY.

No. 4.

Mr. Gould to the Marquis of Salisbury.—(Received May 18.)

My Lord,

Bangkok, April 9, 1889.

I HAVE the honour to report the steps taken by me to obtain from the Siamese Government an authoritative statement of the precise limits of territory claimed by Siam towards the trans-Salween Shan States.

On the 2nd ultimo I received a telegram (copy inclosed) from the Chief Secretary to the Government of Burmah, to the effect that a formal statement of what Siam claims as her proper boundary was required for the information of his Excellency the Viceroy.

On the 6th ultimo I called by appointment on Prince Devawongse, the Foreign Minister, and asked him whether he could furnish me with a definite statement of the claims of Siam on the north. The Prince said he was not in a position yet to put in a map, and suggested the appointment of a Commission, not to delimit the boundary, but to inspect the boundary region with the view of making a map on which hereafter the boundary-line could be drawn.

I then referred, without, however, having any map before me, to the Siamese boundary as described to me when holding the post of Her Majesty's Vice-Consul in Chiangmai by Prince Bigit, the Siamese High Commissioner in that province at the time.

I asked the Prince whether Siam now claimed any territory beyond what she then claimed. The Prince said, "No; our claim now is the same as then." He then took a copy of McCarthy's Map of Siam, which was published in the March number of the

"Proceedings of the Royal Geographical Society, 1888," and said that the boundary west of the Mekong River (described as the "Mei Nam Kong" in McCarthy's Map) ran from the River Mě Sai (on the southern bank of which Wieng Pan stands), roughly speaking, straight to the Salween along the $20\frac{1}{2}^{\circ}$ parallel of latitude.

I remarked, with reference to the boundary near the Mekong, that I believed that Chiengtung claimed down to the Mě Kham stream. The Prince said, "No; they only claim to Doi Tung." This "Doi Tung" is a hill not marked on McCarthy's Map, but situated south of Wieng Pan, and north of the Mě Kham.

As to the boundary east of the Mekong, the Prince said that the Siamese tributary State of Nan claimed the territory north of the Mekong for a considerable distance, but the Prince was unable to give me definitely the limit, but, by drawing his finger along the map, he indicated a line which coincides with the watershed of the streams marked on McCarthy's Map as falling into the Mekong from the north below Chiengsen, and including the whole of the valley of the Nam Oo right up to the confines of China.

The Prince finally said he would take the commands of the King as to my request for a definite statement of the northern boundary-line of Siam.

On the 9th ultimo, in a letter asking for another interview with the Prince, I said that I hoped to learn from him what were the King's orders with reference to this subject of the northern boundary-line.

In the Prince's answer to this note the Prince replied in the following words:—

"As to your question about the northern boundary-line, I think it is a little premature to speak of it yet, as you yourself told me that the British Government do not intend to send their Boundary Commissioner as far as that line is concerned."

To this my reply is contained in the last paragraph of my note to Prince Devawongse, dated the 16th March, and is in the following words:—

"With reference to the northern boundary, I am sorry you are not prepared to give me the information asked for. The Government of India must, I suppose, obtain the required information from the other sources open to them, and I can only trust that the want of a timely statement of Siam's claims may not hereafter prove an inconvenience to her, and I will only ask you now to take official cognizance of the fact that at this juncture we invited you to give a statement of your claims on the north, and that you declined to comply."

On the 26th ultimo, at another interview with the Prince, he again described verbally the frontier as he had already done, but declined to give anything in writing.

In answer to a question put by me, he said that Siam did not claim Chiengtung.

On the 27th ultimo I telegraphed (copy inclosed) to the Chief Secretary to the Government of Burmah, informing him of the result of the negotiations on this subject.

On the 3rd instant I again saw Prince Devawongse, and informed him of the receipt of a telegram from your Lordship enjoining me to ascertain definitely what were the Siamese limits on the north.

The Prince repeated his former statements.

Since then nothing further has passed on the subject.

The general position at the present date, therefore, is that Siam declines to put in writing a definite statement of her boundary on the north, but that the Foreign Minister verbally confines Siam's claims west of the Mekong, beyond her present actual occupation, to the four States of Müang Hang, Müang Tuen, Müang Chuat, and Müang Ta. He verbally repudiates any claim on Chiengtung, and east of the Mekong claims vaguely up to China.

The only difference between the boundary-line thus now verbally stated by Prince Devawongse and that stated by Prince Bigit in 1884 is that Prince Bigit placed the boundary-line towards Chiengtung a few miles further north than the Mě Sai stream (the limit according to Prince Devawongse, and the extreme limit of actual Siamese occupation also), so as to make it coincide with a range of hills running east and west and abutting on the Mekong. Prince Bigit's line here would almost certainly not be acceded to by Chiengtung without a fight, whereas the Mě Sai has hitherto been practically, though somewhat grudgingly, acquiesced in by Chiengtung.

The only other point worthy of remark is that at one time the Siamese included Müang Poo ("Phu" or "Boo") and Müang Sāt in their claims, and now they make no mention of these places.

I have, &c.

(Signed) E. B. GOULD.

P.S.—I am sending a copy of this despatch to the Secretary to the Government of India, under flying seal, through the Chief Commissioner of Burmah.

E. B. G.

Inclosure 1 in No. 4.

Mr. White to Mr. Gould.

(Telegraphic.)

Rangoon, March 1, 1889.

VICEROY of India asks for authoritative statement of Siamese claims to territory east of Salween. Their claims to territory occupied by Karens and to five disputed States have been definitely stated, but Siamese Government have not yet definitely stated what it considers its proper boundary to the north.

It would be very convenient if you could get a formal statement of what Siam claims as her proper bounds on the north.

Inclosure 2 in No. 4.

Mr. Gould to Mr. White.

(Telegraphic.)

Bangkok, March 27, 1889.

YOUR telegram of the 1st March.

Siamese state inability to give definite statement of northern boundary, which is not accurately known here, but in personal interviews they claim the whole valley of the Nam Oo and the valleys of all streams falling into the Mekong River below Chiengsën, and from the Mekong, roughly speaking, along the $20\frac{1}{2}^{\circ}$ parallel to the Salween.

See map in "Proceedings of Royal Geographical Society, March 1888."

No. 5.

Mr. Gould to the Marquis of Salisbury.—(Received June 6.)

My Lord,

Bangkok, May 4, 1889.

IN continuation of my despatch to your Lordship of the 9th ultimo, I have the honour to report that, as affording the best chance of obtaining some written statement from the Siamese Government of the limits to the north of their territorial claims, I addressed a note (copy inclosed) to Prince Devawongse, repeating the verbal statement of the frontier-line given to me by him, and requesting that this should be confirmed in writing. I followed up my letter by several personal interviews with the Prince, and ultimately received an answer (copy inclosed, together with copy of my reply) defining the frontier in terms similar to those in my note to him (and which I had already communicated by telegraph to the Government of India), with the exception that east of the Mekong Prince Devawongse, on behalf of Siam, claims Müang Pong and Müang La as the frontier districts of Siam in this quarter. The exact position of these two places the Prince declared himself unable to specify. On McCarthy's Map there is a place marked as "Müang Poang," nearly as far north as latitude 21° , and in the latest French Map forwarded from Siam by Mr. Parker, of Her Majesty's Consular Service in China, to your Lordship, there are marked "Phong (?)" and "La (?)" far to the north and close to the confines of China.

Your Lordship will observe that Prince Devawongse, in his letter to me, expresses the desire of His Majesty the King of Siam that a Commission should be appointed "to settle once for all the territorial questions now pending."

I was lately informed by the Siamese Under-Secretary for Foreign Affairs that the French Acting Chargé d'Affaires has asked the Siamese Government whether they would prefer to settle the boundary between the French possessions of Tonquin and Annam and the territory of Siam by a Commission meeting on the frontier or at Bangkok.

I hope to-day to meet Prince Devawongse at the Foreign Office, and to ascertain from him the nature and progress of any late negotiations with the French on this subject.

I have, &c.

(Signed) E. B. GOULD.

Inclosure 1 in No. 5.

Mr. Gould to Prince Devawongse.

M. le Ministre,

Bangkok, April 15, 1889.

UNDER instructions from Her Britannic Majesty's Governments in London and India, I have had the honour on several occasions lately to invite your Royal Highness to furnish me, for the information of the Government of India, with a statement of the limits of the Siamese territorial claims towards the north.

Your Royal Highness has informed me that the Siamese Government is not at present in a position to define accurately the boundary-line, but you were so good on the 6th, and again on the 26th, March to personally point out and explain to me, with reference to the Map furnished by Mr. McCarthy and published in the March number of the "Proceedings of the Royal Geographical Society, 1888," the line of boundary as accurately as the knowledge in possession of the Siamese Government permitted you to do.

The information thus verbally afforded me I apprehend to be as follows:—

Taking Mr. McCarthy's Map referred to, and starting from a point on the River Salween in $20\frac{1}{2}$ degrees of north latitude, the approximate boundary as described by your Royal Highness would be defined by a line drawn from the point on the Salween above referred to, east along the $20\frac{1}{2}$ parallel to the River Mekong (called the Mei Nam Kong on McCarthy's Map), and thence onwards somewhat north of east, so as to just include the head-waters of all the streams falling into the Mekong below Chiengsen, until the range of hills forming the western watershed of the Nam Oo River is reached, and thence along the range of hills northwards, so as to include the whole of the valley of the Nam Oo.

I have already communicated to the Government of India the Siamese claims as above verbally described, and I have now received instructions from Her Majesty's Government in London that his Excellency the Viceroy and Governor-General of India requires a description in writing of the Siamese claim.

I must therefore again ask your Royal Highness to supply this.

It is not necessary nor perhaps possible at the present moment to define the boundary with topographical exactness.

I understand that all that is now required is such a description in writing as your Royal Highness has already given me verbally.

Hoping that you will be able to furnish me at once with such a general statement as can be accepted as authoritative by the Government of India, I take, &c.

(Signed) E. B. GOULD.

Inclosure 2 in No. 5.

Prince Devawongse to Mr. Gould.

(Translation.)

Sir,

Foreign Office, April 30, 1889.

IN reply to your note of the 15th instant, in which you asked me to supply you, for the information of Her Britannic Majesty's Government, a description of the boundary on the north, and at the same time you appended therein as a verbal communication the information you gathered from me in conversation, I have the honour to state herein the substance of what I did say on the subject.

You will recollect that when you asked me for these informations I said that having regard to the fact you yourself told me, that Her Britannic Majesty's Government do not as yet intend to appoint a Boundary Commission as far as this line is concerned, I think it is a little premature to speak about it.

And in the subsequent interview, you asked me to point out the boundary-line on the small Map of Siam made by Mr. McCarthy, which you desired me to be shown. I told you clearly that I could not, under the circumstances, do so without reference to the archives of the Interior Department.

As you then wanted only an approximate idea of it, I said that you would already know more than I can give since you were so many years resident in Chiengmai, and have travelled over a greater part of those territories. I then concurred with you that Chiengmai northern boundary would be about the parallel of latitude $20\frac{1}{2}^{\circ}$, but that of Nam, on the eastern side of the Mekong, would extend higher to the north as far as

Müang Pang and Müang La, and that of Luang Prabang would, I think, comprise the whole valley of Nam Oo.

I think it would be best for the interest of both countries if a Boundary Commission could be agreed upon, so as to settle, once for all, the territorial questions now pending, and I, therefore, beg you to be good enough as to inform me whether, in the event of the Government of India having received the information required, Her Britannic Majesty's Government would be disposed to appoint such a Commission which would be acceptable to His Majesty the King, my gracious Sovereign.

Accept, &c.

(Signed) DEVAWONGSE VAROPRAKAR,
Minister for Foreign Affairs.

Inclosure 3 in No. 5.

Mr. Gould to Prince Devawongse.

M. le Ministre,

Bangkok, May 2, 1889.

I HAVE the honour to acknowledge the receipt of your Royal Highness' note of the 30th ultimo, copies of which I will at once forward to Her Majesty's Secretary of State for Foreign Affairs in London and to the Government of India, and after receiving instructions I shall be in a position to answer the inquiry contained in the last paragraph of your Royal Highness' note.

I must take this opportunity, however, to take exception to your Royal Highness' statement in the fourth paragraph of your note, in which you use the words, "I then concurred with you, that Chiengmai northern boundary would be about the parallel of latitude $20\frac{1}{2}^{\circ}$, but that of Nam," &c. I beg leave to point out that I did not concur with you, that this line described the Chiengmai northern boundary, for, as you are aware, this line includes the four Shan States of Müang Hang, Müang Tuen, Müang Chuat, and Müang Ta.

I concurred with you only in admitting that this line approximately described the northern limit of the territories claimed by Siam as belonging to Chiengmai.

I have no doubt that your Royal Highness meant to say this, and not to assume that I had concurred in a definition of the Chiengmai boundary, which it was not possible for me to concur in. I have, however, thought it better to make this correction at the present moment, to prevent any future possible misunderstanding.

I take, &c.

(Signed) E. B. GOULD.

No. 6.

Foreign Office to India Office.

Sir,

Foreign Office, July 12, 1889.

I AM directed by the Marquis of Salisbury to state, for the information of Viscount Cross, that the French Ambassador has inquired when he may expect an answer to the proposal communicated by him on the 3rd April for the neutralization of Siam, and the demarcation of the Siamese frontier.

The proposal in question was communicated to the Secretary of State for India in the letter from this Office of the 18th April last, and I am to request that you will move Lord Cross to favour his Lordship with an early expression of his opinion upon it.

I am, &c.

(Signed) T. H. SANDERSON.

No. 7.

India Office to Foreign Office.—(Received July 26.)

Sir,

India Office, July 24, 1889.

I AM directed by Viscount Cross to acknowledge the receipt of your letter of the 12th July relative to a proposal submitted by the French Ambassador at this Court in regard to the demarcation of the frontiers of Siam and the neutralization of that State.

In reply, I am desired to state, for the information of the Marquis of Salisbury that Lord Cross considers that a delimitation of the frontiers of Siam should precede an Agreement between Great Britain and France for the neutralization of that State, and that if a boundary satisfactory to Siam could be arranged with France on the side of Cambodia, Annam, and Tonquin, the advantage to Siam would be considerable.

On the west there is a recognized frontier between Siam and the British province formerly known as British Burmah up to Karenni; and the boundary further to the north will, no doubt, be determined by the Commission which it is contemplated to appoint for inquiring into the claims of Siam to sovereignty over the four trans-Salween Shan States.

That Commission, if appointed, will also have opportunities of ascertaining the precise limits of the Shan States of Muang-Lem, Kiang-Hung, Kiang-Tung, and Kiang-Cheng, which intervene on the north-west between Siam and China.

The frontiers of Siam on the east, west, and north-west being ascertained and recognized, Lord Cross would see no objection, from an Indian point of view, to Great Britain and France entering into an Agreement for the neutralization of Siam.

The existence of an independent kingdom between the British and French possessions in the Indo-Chinese Peninsula might obviate complications between the two Powers, and the influence they might seek to exercise in Siam would not endanger the national existence of that State.

I have, &c.
(Signed) J. A. GODLEY.

No. 8.

The Marquis of Salisbury to M. Waddington.

M. l'Ambassadeur,

Foreign Office, August 27, 1889.

I HAVE been in communication with the India Office with regard to the proposal for the neutralization of Siam which was made to me by your Excellency on the 3rd April last.

Her Majesty's Government are favourably inclined to such an arrangement, by which a strong independent Kingdom of Siam, with well-defined frontiers, would be established.

As I understood your Excellency's proposal, it requires as a first step a settlement of the boundaries of Siam in the direction of China, Cochin China, and of Burmah.

I have now the honour to forward to your Excellency a map which has been supplied to me by the India Office, and which shows the approximate boundaries of Siam towards the north-west and north, such as they have hitherto been considered to exist. The western boundary of Siam has been absolutely demarcated as far as the northern limit of British possessions previous to 1885.

On hearing from your Excellency what are the views of the French Government as to the limits of Siam on the east and north-east, I shall be happy to consider with you what is the next step that should be taken for the purpose of carrying your proposal into effect.

I understand the object which your Excellency has in view is to determine what shall be the definition of the words "Empire of Siam," if they should become the subject of any agreement between the two Governments, either in the way of guarantees or of formal recognition for mutual guidance.

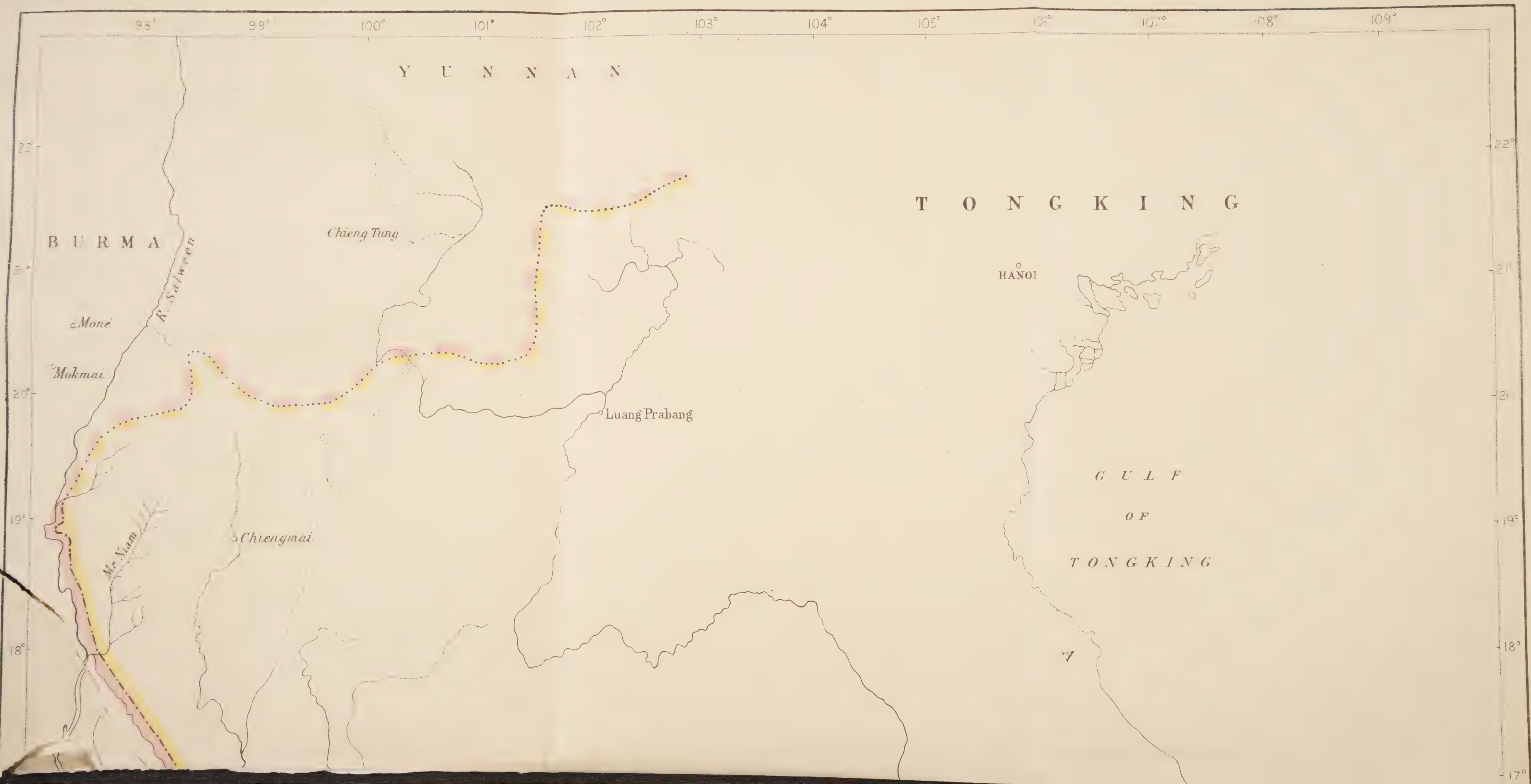
The extent of territory claimed by Siam, and the validity of those claims, can, of course, only be determined in communication with the Government of Siam itself.

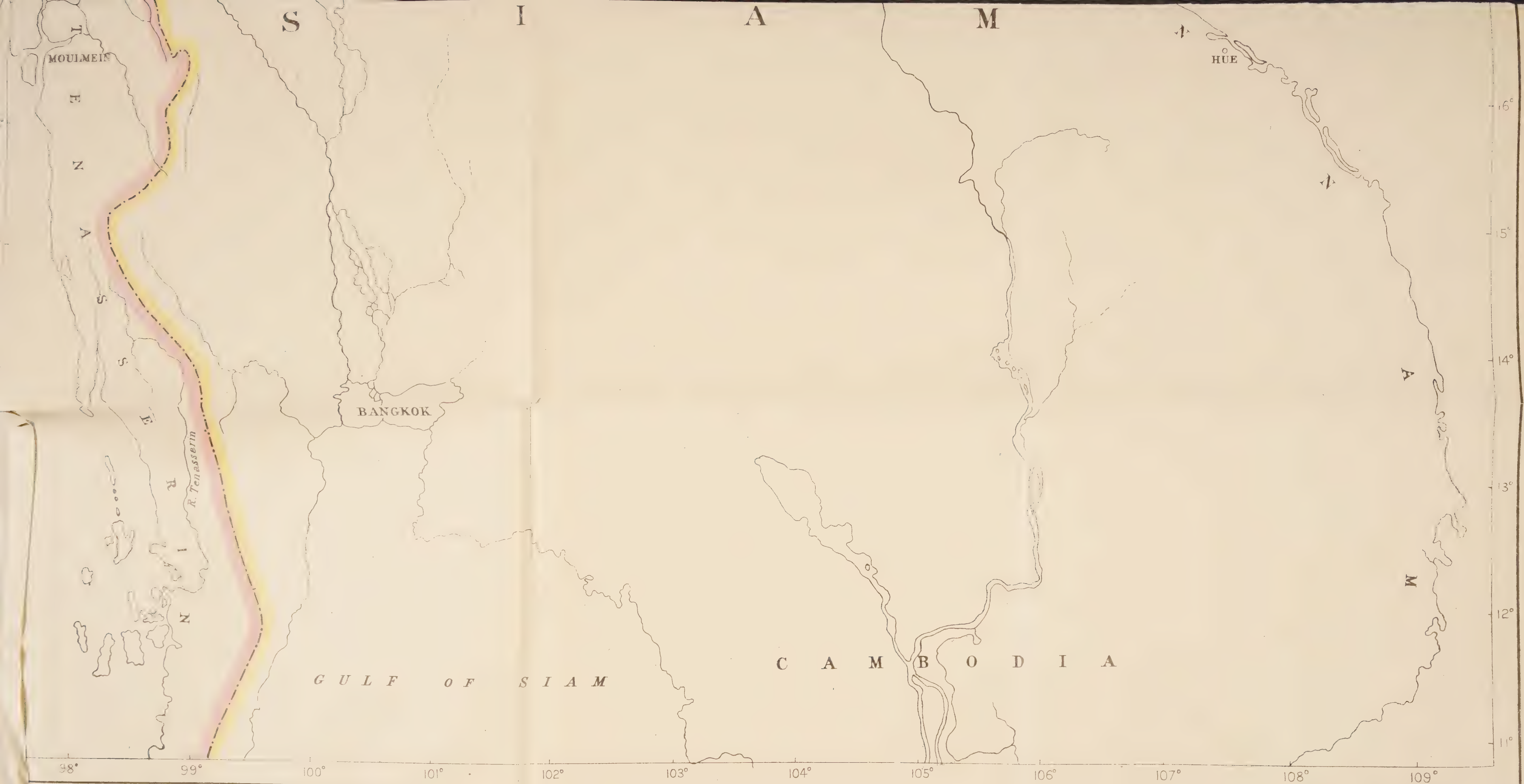
I have, &c.
(Signed) SALISBURY.

Inclosure in No. 8.

Map.

Fac simile of Map given to the French Ambassador, 29th Aug., 1889, as indicating the
APPROXIMATE BOUNDARIES OF SIAM
to the North West & North such as they have hitherto been considered.





W.O. No 1001

Approx. Scale $\frac{1}{29174560}$, or 1 Inch = 46 Miles.



Boundary of Siam —————
Approx. boundary of Siam - - - - -

Litho at the Intell. Div., W.O., Aug., 1893

Captain Jones to the Marquis of Salisbury.—(Received February 17.)

My Lord,

Bangkok, January 6, 1890.

I HAVE the honour to bring to your Lordship's notice the following details connected with the objects of the Franco-Siamese Delimitation Commission, which expects to begin its joint labours here in August next.

M. Pavie, the Head of the French Commission (and Titular Vice-Consul at Luang Prabang), has been recently promoted to the rank of Second Consul, in recognition of his services as Explorer and Surveyor of the little-known districts on the borders of Tonquin and Cochin China, and of the aid he has rendered in consolidating French authority in those parts. His instructions are characterized by extreme moderation, and he is enjoined to act on all occasions with impartiality and conciliation, and, while maintaining the just claims of France, to pay due regard to those advanced by Siam. M. Pavie bears a high character for discretion and moderation, and the Foreign Minister here is of opinion that a satisfactory solution of all outstanding questions between the two countries may be shortly expected.

As the existing situation of the contested districts will be maintained until modified by the decisions of the Joint Commission, Siam will continue to hold the Basin of the Mekong from (about) the 13th to 22nd parallel of north latitude, with the exception of three small districts on this side of the Khao-Luang range, settled by the Annamites, where the routes from the east debouch from the mountains into the plains. These are:—

Ai-Lao-Dign, in latitude 17° north.

Kia-Heup, latitude $17\frac{1}{2}^{\circ}$.

Kam-Muan (about), latitude $18\frac{1}{4}^{\circ}$.

Beyond these, to the north, the Siamese hold the district called Pan-Ha-Thang-Hok ("the nation of five or six Chiefs"), and the French will continue to occupy Sipsong-Chu-Thai ("the twelve small Siamese States"), from which they have succeeded in driving the Chin Haws and other marauders.

A map of this country has been recently issued, for the use of the Commission, by the Military Topographical Department of Saigon.

The French Commissioners are now on their way to Luang Prabang by way of Hanoi, from whence they descend the Mekong, examining the country in the vicinity to complete the survey of the same, reaching Bangkok in August next, where they will meet the Siamese Commissioners, and, in conjunction with them, proceed to fix permanently the common line of frontier.

I have, &c.

(Signed) HENRY M. JONES.

Captain Jones to the Marquis of Salisbury.—(Received December 22.)

My Lord,

Bangkok, November 20, 1890.

I HAVE the honour to inform your Lordship that M. Pavie, the French Commissioner charged with the survey of the River Mekong and its tributaries, passed some days at Bangkok during the present month, and returned to Saigon on the 13th instant, in order to continue his work on the northern frontier.

From the map which he has shown me of the districts already explored by him, these would seem to have been confined to the country lying to the eastward of Luang Prabang, and to the course of the River Nam Oo, as far as its source in (about) latitude $22^{\circ} 30'$ north, and to certain of its tributaries westward towards Muang Sai, a trade centre.

M. Pavie informed me that he was about to proceed to the Sipsong Panna, and to the district of Xieng Hong (Chieng Hoong), so that probably he may fall in with the British surveying party under Mr. Archer's direction. He expects to finish all the work intrusted to him before the end of February next.

While here, he has had frequent interviews with the Siamese Minister for Foreign Affairs, Prince Devawongse, with the object chiefly of obtaining certain trading privileges and immunities on behalf of the Mekong Trading (French) Corporation. These are that the agents of the Company at the following landing stages (and who seem to be mainly young French Consular "élèves") should be recognized officially by the local Siamese authorities, probably with a view of giving them some Consular authority.

The stations are Luang Prabang, Ta Outen, Bassac, Stung Treng, Chieng Tang, and one also at Battambang. There are three interruptions to the navigation of the Mekong, at Khong, at Kemmerat, and at a place north of the latter.

M. Pavie also proposed that, in order to encourage and develop the trade of the Mekong, the goods carried by the steamers of the Company should be allowed to pass free of duty. He even went so far as to suggest unrestricted free trade between Siam and the French provinces of Indo-China; but the Siamese Minister answered him, that the revenues of the kingdom were too meagre to admit of their being further diminished by these important concessions; that, furthermore, Siam was herself about to construct a line of rail from Bangkok to Korat—to be afterwards extended, if found practicable, to Nong Khai, on the Mekong—for the construction of which tenders would be invited in the leading journals of Europe at the beginning of the year. It could not be reasonably expected that extraordinary privileges would be conceded to foreign trading Corporations which would result in depriving the projected line of much of the trade on which it counted for its support.

I am informed that no allusion was made to the rectification of the frontier between Siam and the French possessions. This matter may probably be brought forward in March next, when M. Pavie, having completed his surveys, will return to Bangkok. Prince Devawongse, however, believes that the French will not seek to pass, for at least some time to come, the line they occupy at present on the north-west frontier beyond the Black River.

I have, &c.
(Signed) HENRY M. JONES.

No. 11.

The Marquis of Salisbury to Captain Jones.

(Telegraphic.)

Foreign Office, July 4, 1891.

HAVE you any confirmation of a report sent home by the correspondent of the "Standard" at Bangkok, to the effect that the Province of Luang-Prabang has been occupied by French troops?

No. 12.

Captain Jones to the Marquis of Salisbury.—(Received August 17.)

My Lord, *Bangkok, July 10, 1891.*

WITH reference to your Lordship's telegram of the 4th instant on the question of alleged French annexation of Siamese territory, I have the honour to forward herewith explanatory statements on the part of the Siamese Foreign Minister and of Mr. Archer, First Assistant, which give the details of what is known here as to the recent aggressions of the French on the north-eastern and southern borders of Siam.

I have, &c.
(Signed) HENRY M. JONES.

Inclosure 1 in No. 12.

Memorandum.

PRINCE DEVAWONGSE'S account of the recent proceedings of the French at Tung-Chieng-Kham and at Point Samit is as follows:—

The Siamese Commissioner for Müang Phuen had sent two local officials, or Headmen, Palat Müang Sui and Bang Bien, to collect information in the extreme eastern border of Siam. These men returned about three or four months ago with alleged authority from the French to occupy certain districts. They attempted to set up the French flag at Tung-Chieng-Kham, which was pulled down several times by the Siamese. Palat Müang Sui was arrested and sent down to Bangkok, where he now is; but Bang Bien is still at Tung-Chieng-Kham with thirty followers. There is there a Siamese post with a Commissioner, and efforts are to be made to arrest also Bang Bien. No French officer or

troops have come with him, nor has any formal claim been made by the French, the Consul here stating that he knows nothing of Bang Bien's proceedings.

Tung-Chieng-Kham, being situated in the Province of Müang Phuen, is not included in the Agreement between the French and Siamese Commandants that the *status quo* is to be preserved in Hua-Pan-thang-Hok and Sip-song-chu-thai. Prince Devawongse thinks that the occupation of Luang Prabang, reported in the "Standard," is merely inferred from the fact that Siam is about to take more energetic steps to guard her border by sending three brothers of the King as Special Frontier Commissioners.

With regard to the occupation of the bay at Point Samit, it appears that two Frenchmen, supposed to be Customs officers, recently came, with a number of Cambodian soldiers and others, and established themselves at Lêm Thien; but both these Europeans have died there, one of them committing suicide. There are now only about ten Cambodian soldiers left, and the Siamese have established large posts close by to watch them. The boundary with the French has never been delimited on the coast-line; in fact, with the exception of the neighbourhood of the Great Lake, it has not been fixed anywhere in the south. By this last movement the French have now pushed on about 8 miles up the coast-line, including a fairly good anchorage, to a point fixed upon by M. Pavie as the boundary.

The district in question has hitherto been always in Siamese occupation. The probable reason of its occupation by the French is that they are anxious to check the constant emigration to this neighbourhood of political and other refugees from the Cambodian Province of Compong Som.

Bangkok, July 7, 1891.

Inclosure 2 in No. 12.

Mr. Archer to Captain Jones.

Sir,

Bangkok, July 6, 1891.

IN my Report to Her Majesty's Government of India on the north-eastern frontier of Siam, dated the 12th June last, I stated that "the French have made no claim to Müang Phuen, but it now appears that they are making a move on Tung-Chieng-Kham, a north-eastern district of Müang Phuen, in the head-waters of the Nam-Nön or Song-ca. This place was formerly held by the Haws, and besieged unsuccessfully by the Siamese, who resumed possession after the retreat of the Haws. If the French occupy this district they will have gained an important though exposed position, wedged in a corner between Hua-Pan-thang-Hok on the north and Müang Phuen on the south."

The position of Tung-Chieng-Kham is longitude 103° 25' east and latitude 19° 40' north in Mr. McCarthy's Map of Siam. There is a Siamese Commissioner for Müang Phuen residing at Chieng-Kwang, about 25 miles south-west of Tung-Chieng-Kham, but he is under the orders of the Chief Commissioner, whose head-quarters are at Nong-Khai, on the Mekong. On my way down from Luang Prabang last April I met Phya Lomsak, who had been Commissioner at Müang Phuen during 1889 and 1890, and he assured me that, beyond surveys and journeys of exploration, the French had done nothing towards encroachment in his district while he was in charge; so that the occupation of Tung-Chieng-Kham, which now seems to be an accomplished fact, is of quite recent date. It is probable that the Siamese, having relaxed their watch on this portion of the frontier and concentrated their attention on the border further north, where a French advance seemed more imminent, the French have taken advantage of this to push on their line of occupation as far as the main watershed.

French policy, however, undoubtedly aims at Chieng-Kwang, the capital of the Province of Müang Phuen. It is a large elevated plain, well suited to a military station; but the Siamese are alive to its importance, and I doubt if they will easily allow it to be occupied. With Chieng-Kwang added to Müang Thëng, the French would possess the only two large open plains in the whole of the north-eastern border country.

The distance from Tung-Chieng-Kham to Chieng-Kwang is three marches at most, and from Chieng-Kwang to Luang Prabang eight marches, across very mountainous and difficult country.

I have, &c.
(Signed) WM. J. ARCHER.

No. 13.

Captain Jones to the Marquis of Salisbury.—(Received October 24.)

My Lord,

Bangkok, September 21, 1891.

I HAVE the honour to inform your Lordship that yesterday the French Representative here notified to the Siamese Foreign Minister, by order of his Government, that the latter, willing at all times to prove its friendly feelings towards Siam, and its desire to fulfil faithfully all its engagements with that Power, had given orders that the districts recently annexed by the French authorities in Indo-China—that is to say, the Point Samit on the Cambodian, and Thoung-Chieng-Kham on the north-east boundary—as explained in my despatch to your Lordship of the 10th July last, should be at once evacuated and restored to the Siamese. That this action, however, was not to be held to prejudice any just claims which the French Government might have against the Siamese, and which for the present remained suspended.

I have, &c.
(Signed) HENRY M. JONES.

No. 14.

The Marquis of Salisbury to Mr. Egerton.

Sir,

Foreign Office, February 16, 1892.

THE French Ambassador, in the course of conversation to-day, alluded to Lord Lamington's speech in the House of Lords on the moving of the Address. He said that its terms, though they had not been referred to subsequently in the debate, had excited some notice in Paris, as they were directed against a statement made by M. Ribot to the French Chamber. M. Ribot had laid down that up to the Mekong French influence had been extended, and this claim Lord Lamington had characterized as an undue display of French ambition.

He then said that he had mentioned it for the purpose of making an unofficial suggestion. His Government were of opinion that in order to avoid further differences between the two Powers, it might be advantageous that each Power should bind itself to the other not to extend its influence beyond the Mekong. Neither Power had yet advanced practically to the banks of that river, but this engagement would prevent either Power suspecting the other of desiring to encroach upon what was essentially Siamese territory. I objected that such an engagement would have the appearance of giving respectively to the French and English Governments territory which did not belong to the other of the two Powers, and was therefore not at its discretion to assign. He said that that was not his intention. He did not propose any engagement of a positive character; he did not propose that either Power should recognize the other as advancing as far as the banks of the Mekong; he only proposed the negative engagement that each Power should bind itself to the other not to cross that river. I said that the proposal was one of which it was impossible for me to judge without consulting Departments immediately concerned, and that I would communicate his suggestion to the India Office without delay.

I am, &c.
(Signed) SALISBURY.

No. 15.

India Office to Foreign Office.—(Received April 6.)

(Extract.)

India Office, April 5, 1892.

I AM desired by Viscount Cross to state, for the information of the Marquis of Salisbury, that the Government of India observe that the proposal submitted by the French Ambassador in regard to the Mekong appears to them sure to be misinterpreted as anticipated by the Secretary of State for Foreign Affairs.

Lord Lansdowne's Government further remark that Kyaing Chaing has not been transferred to Siam, and, if the offer of this State be declined by Siam, the Indian Government will find themselves in possession of territory on the eastern side of the Mekong River.

In these circumstances, the Viceroy of India strongly advises that for the present

we should confine ourselves to an expression of our desire to respect the integrity of Siam, and of our readiness to examine the French Ambassador's proposal when it has been more fully explained.

No. 16.

The Marquis of Salisbury to the Marquis of Dufferin.

My Lord,

Foreign Office, May 10, 1892.

M. WADDINGTON called at the Foreign Office to-day, and asked me again for an answer from the Indian Government with regard to his proposal respecting the Mekong River, which I described in my despatch to Mr. Egerton of the 16th February last.

His Excellency repeated the substance of his original proposal, viz., that the Upper Mekong should be a boundary across which neither the French to the westward nor the British to the southward should extend their respective spheres of influence.

M. Waddington explained that he did not by this mean to say that the present sphere of influence either of France or Great Britain actually extends up to the Mekong at the present moment.

His proposal was not an assertion of present rights, but, as he expressed it, a prophylactic.

I promised his Excellency that I would solicit an answer from the Government of India on the subject.

I am, &c.

(Signed) SALISBURY.

No. 17.

Foreign Office to India Office.

Sir,

Foreign Office, May 14, 1892.

WITH reference to your letter of the 5th April last, I am directed by the Marquis of Salisbury to transmit to you, to be laid before the Secretary of State for India, a copy of a despatch to Her Majesty's Ambassador at Paris,* recording a further conversation with the French Ambassador at this Court respecting his proposal that the Mekong River should form the limit of British and French influence in the districts adjacent to it.

It will be seen that M. Waddington worded his proposal somewhat more definitely on this occasion, limiting it to the Upper Mekong, and suggesting an engagement that the French should in no case extend their sphere of influence to the westward of the river, nor the British to the southward of it.

Lord Salisbury has promised to endeavour to obtain an answer from the Government of India to this proposal, and he would be glad if Viscount Cross could favour him with an opinion as to the terms of the reply.

If the proposal is still considered in any respect to be ambiguous, his Lordship will be glad to know what are the points on which a fuller or more definite statement is desired.

If the Government of India desire its rejection, Lord Salisbury will be ready to consider carefully any suggestions as to the grounds on which a refusal could be founded.

He would, however, deprecate a merely evasive answer, as likely to induce the belief that Her Majesty's Government have designs on the other side of the river, and that speedy action on the part of France is necessary to secure for her a share in the contemplated annexation.

I am, &c.

(Signed) T. H. SANDERSON.

India Office to Foreign Office.—(Received May 27.)

Sir,

India Office, May 27, 1892.

I AM desired by Viscount Cross to acknowledge the receipt of your letter of the 14th May relative to M. Waddington's amended proposal that the Upper Mekong should form the limit of British and French influence in the districts adjacent to it, the French engaging in no case to extend their sphere of influence to the westward of the river, nor the British to the southward of it.

2. In reply, I am desired by his Lordship to submit the following observations for the consideration of the Marquis of Salisbury: The State of Kyaing Chaing (a dependency of Kyaington, itself a feudatory of the Indian Government) lies astride of the Mekong; this State has been offered to Siam as a part of the proposals for the demarcation of the northern frontier of Siam. It is not yet known if Siam will accept the offer. If it is accepted, it is further in contemplation to negotiate with China for the delimitation of the northern frontier of Kyaing Chaing and the Siamese Province of Luang Prabang, where these frontiers abut on Kiang Hung, a State which had feudal relations with Burmah, but which the Government of India proposes to leave to China. On the other hand, if Siam declines the offer of Kyaing Chaing, that State, which is intersected by the Mekong, will continue to be under British protection. Consequently, for the present, and until the arrangements as to demarcation above alluded to are completed, the exercise of British influence cannot be restricted to the territory lying west of the Mekong.

3. I am to observe, in this connection, that M. Waddington's proposal in regard to the south of the Mekong seems to be made without reference to the course of the river at the point where our interests at present lie. We might advance to the east of it, but not, from our present position, to the south of it.

4. Adhesion to the engagement suggested by the French Ambassador would, it is believed, prove an embarrassment to Her Majesty's Government, inasmuch as it would interpose difficulties in promoting the demarcation between Siam and China of the Trans-Mekong tracts above specified, while it appears to imply that France, which is still at a considerable distance from the Upper Mekong, might advance in that direction from Tonquin without being exposed to any remonstrance from Her Majesty's Government in consequence of the acceptance of the engagement now proposed. The engagement would thus seem to fetter the action of Her Majesty's Government in certain contingencies, while it would tend to facilitate the progress of the French westwards from Tonquin whenever they may determine to advance their borders.

5. In these circumstances, I am desired to state that Lord Cross sees no advantage, from an Indian point of view, in acceding to the proposal made by M. Waddington, inasmuch as British influence does extend up to the Mekong by reason of the Kyaington State having placed itself under British protection.

I have, &c.

(Signed) HORACE WALPOLE.

Captain Jones to the Marquis of Salisbury.—(Received August 8.)

My Lord,

Bangkok, July 1, 1892.

I HAVE the honour to inform your Lordship that M. Pavie, the recently-appointed French Minister to Siam, arrived here on the 10th of last month, and on the 24th had an audience of the King for the purpose of presenting his credentials as Minister Resident of the French Republic, and of subsequently investing the Crown Prince with the highest grade of the Legion of Honour. His Royal Highness Prince Devawongse received at the same interview the Second Class of this Order.

I am assured by the Minister for Foreign Affairs that no proposals for a rectification of the Franco-Siamese boundary have been made to the Siamese Government by the new French Minister.

M. Pavie first visited this country in the quality of telegraph clerk in the year 1884, having been sent here by the French Government with some others to construct and work a telegraph line between Saigon and Bangkok. He rapidly distinguished himself by his activity, intelligence, and powers of observation, which led to his being appointed in 1888 French Vice-Consul at Luang Prabang, on the Mekong River. Since then he has been

constantly employed in surveying and reporting on the nature of the country lying north-west of the French possessions in Indo-China, and having performed this work to the satisfaction of the French Government he was selected to fill his present position.

In his dealings with the natives, wherever he has been placed in this country, M. Pavie has shown himself just and conciliatory, and has succeeded in gaining their good-will and esteem. The Siamese authorities are very favourably inclined towards him, as they have found him, as a rule, considerate and conscientious in his relations with them.

I have, &c.
(Signed) HENRY M. JONES.

No. 20.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, October 26, 1892.

THE question of the delimitation of French and British spheres of influence in Indo-Chinese territories was raised by the French Ambassador during an interview which I had with his Excellency this afternoon. He told me that he had suggested to Lord Salisbury that the limit between the two spheres should be the Mekong River. Lord Salisbury was inclined to agree to this proposal, but had referred it to the India Office for observations. This was six months ago, and since then nothing further had passed on the subject.

I informed M. Waddington that the matter had not been brought to my notice, but that I would lose no time in making inquiries at the India Office.

I am, &c.
(Signed) ROSEBERY.

No. 21.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, December 20, 1892.

THE French Ambassador again brought before me on the 14th instant the question of the proposed delimitation on the Indo-Chinese frontier of the British and French spheres of influence near the Mekong River.

I replied that the matter was receiving the consideration of the India Office, and promised to send his Excellency an answer when their opinion had been received.

I am, &c.
(Signed) ROSEBERY.

No. 22.

The Earl of Rosebery to M. Waddington.

M. l'Ambassadeur,

Foreign Office, December 23, 1892.

I HAVE been in communication with Her Majesty's Secretary of State for India on the proposal which your Excellency made to me in conversation on the 26th October last for a definition of the British and French spheres of influence in the districts adjacent to the Upper Mekong River. The view of your Government, as I understand it, is that the two Powers should bind themselves to one another not to extend their influence beyond that river.

In reply, I am able to inform your Excellency that Her Majesty's Government have recently come to an arrangement with that of Siam with regard to the frontier between Burmah and Siam. As a part of this settlement, Great Britain has proposed that Siam should exercise exclusive jurisdiction over the State of Kyaing Chaing which lies on both sides of the Mekong, and over which the State of Kyaington once had rights. This offer has been accepted by the Siamese Government.

The State of Kyaington itself, which has accepted British protection, extends up to the Mekong only in one portion of its frontier, and in this part of its course the river will form the boundary between the British Protectorate and the Siamese dominions. But

nowhere will the British possessions or Protectorate under the recent arrangement extend beyond the River Mekong.

Her Majesty's Government are also engaged in discussing with China a delimitation of the frontier between that country and Burmah. The proposals made by Her Majesty's Government involve a transfer to China, on certain conditions, of the rights over the Province of Kiang Hung, which Great Britain has acquired in virtue of the annexation of Burmah.

A joint British and Siamese Commission is at the present moment engaged in marking the frontier agreed upon between the two countries. If a settlement of the frontier with China on the proposed terms is arrived at, Her Majesty's Government further contemplate offering their assistance to Siam for the demarcation of the northern frontier of the Province of Kyaing Chaing, which will be in immediate contiguity to the Chinese dominions, and they think it would be to the general advantage that the demarcation should be continued with similar assistance along the northern frontier of the Siamese Province of Luang Prabang so far as it abuts on Chinese territory.

The above explanations of the intentions of Her Majesty's Government will, I trust, be entirely satisfactory to your Government, but Her Majesty's Government doubt whether, under present circumstances, a specific engagement between France and Great Britain of the nature suggested by your Excellency would be advisable.

It would be open to misconstruction, and would, in their opinion, be more likely to excite alarm and suspicion on the part of Siam, than to reassure her as to the intention of the two Powers to respect her integrity.

I have, &c.
(Signed) ROSEBERY.

No. 23.

The Marquis of Dufferin to the Earl of Rosebery.—(Received February 11.)

(Extract.)

Paris, February 7, 1893.

IN my despatch of the 25th ultimo I forwarded to your Lordship a report of the discussion upon the Foreign Office Estimates with regard to the alleged encroachments of the Siamese on districts stated to be under the protection of France on the left bank of the Mekong. The charges brought against the Siamese Government are summed up in a speech of M. François Deloncle, contained in the full report of the debate. M. Deloncle asserted that the Siamese persistently ignore the rights of the Kingdoms of Annam and Cambodia over the whole of Laos and the territories situated on the two banks of the Mekong. He maintained that there were no international interests engaged in the matter, as there was only one question at issue with England, as to the Upper Mekong, which there formed the boundary between Tonkin and the Shan States of Burmah.

The Government was urged by M. Martineau to send two or three gun-boats up the river from its mouth to Luang Prabang in order to defend the political and commercial interests of France.

The Under-Secretary of State said, in reply, that the Government were still of the opinion expressed by their predecessors two years ago, to the effect that the left bank of the Mekong was the western limit of the sphere of French influence, and that this opinion was based on the incontestable rights of Annam, which had been exercised for several centuries. He added that these rights were too important to be abandoned, and too well established for the Siamese to persist in contesting them in the presence of the determination of France to put a stop to their violation.

No. 24.

The Earl of Rosebery to Captain Jones.

Sir,

Foreign Office, February 22, 1893.

THE Siamese Minister called on me to-day to express the regret with which he had read the statements made in the French Chamber respecting the alleged aggression of Siam on neighbouring States, and his satisfaction at the answer I had given in the House of Lords with regard to the Mékong boundary. He declared it to be quite untrue that the Siamese Government were guilty of aggression, and stated, in reply to my question, that the local relations between the French and his countrymen were perfectly friendly.

I am, &c.
(Signed) ROSEBERY.

M. Waddington to the Earl of Rosebery.—(Received February 23.)

M. le Comte,

Londres, le 22 Février, 1893.

LE 26 Octobre dernier, j'ai eu l'honneur de vous rappeler les pourparlers engagés par moi avec votre prédécesseur en vue d'établir un accord touchant la situation respective de la France et de l'Angleterre en Indo-Chine, et j'ai demandé à votre Seigneurie de vouloir bien me confirmer les dispositions qu'avait témoignées à ce sujet M. le Marquis de Salisbury et qui ont toujours été favorables à l'idée de limiter la zone d'influence de nos deux pays dans cette partie du monde.

Le 23 Décembre suivant, vous avez bien voulu m'adresser par écrit votre réponse et me déclarer que, nulle part, les possessions ou le Protectorat de la Grande-Bretagne ne s'étendraient au delà du Mékong.

Je suis chargé par mon Gouvernement de prendre acte de cette déclaration et je n'aurais qu'à en remercier votre Seigneurie, puisque la limite que vous voulez bien assigner à l'extension à venir de l'autorité Anglaise en Indo-Chine est celle-là même que nous nous étions spontanément déclarés prêts à reconnaître et que votre prédécesseur a accepté. Mais votre Seigneurie ajoute à ces assurances des indications qui, permettez-moi de vous le dire, nous ont causé la plus vive surprise.

En effet, vous voulez bien me faire savoir qu'après avoir suivi avec nous les pourparlers dont j'ai fait mention, c'est avec le Siam que le Gouvernement Britannique a conclu un arrangement dont vous me faites connaître les points principaux. Cet arrangement, dont nous n'avions reçu aucune notification et que nous ignorions, attribuerait non seulement à l'influence Anglaise les territoires situés sur la rive droite du Haut Mékong, mais il porterait même atteinte à notre influence sur la rive gauche où nous avons pourtant expressément et à diverses reprises déclaré que l'action d'aucune Puissance Européenne ne devait, suivant nous, s'exercer en dehors de la nôtre.

Ces indications me paraissent être en contradiction :—

1. Avec les déclarations de votre prédécesseur, qui m'a répété plusieurs fois, quand, au cours de ces dernières années, nous avons discuté cette affaire, que l'Angleterre était encore loin d'atteindre au Mékong et par conséquent m'a donné implicitement l'assurance que la question ne pouvait pas se trouver préjugée au cours même de nos pourparlers.

2. Avec les déclarations qu'a bien voulu me faire votre Seigneurie elle-même, dans sa communication précitée. En effet, si l'Angleterre déclare borner à la rive droite du Mékong ses prétentions, elle ne peut en même temps, semble-t-il, se disposer à exercer son influence ou son intervention sur la rive gauche. C'est pourtant ce qui se produirait si le Gouvernement de Sa Majesté la Reine donnait suite aux projets dont m'entretient votre Seigneurie et d'après lesquels il songerait à offrir son assistance au Siam pour le règlement d'une question de délimitation entre cet État et l'Empire Chinois, à l'est du Mékong.

Ce résultat serait en opposition absolue avec les préoccupations qui avaient engagé le Gouvernement de Sa Majesté la Reine et celui de la République dans des pourparlers dont nous étions fondés à considérer le principe comme hors de toute contestation et dont le but était précisément d'écarter à l'avance et d'un commun accord, par un arrangement précis, toute possibilité d'un conflit d'influence entre nos deux pays dans ces régions. Pour ce qui nous concerne, notre préoccupation dès l'origine, il n'est pas inutile de le rappeler en ce moment, a été, en outre, de sauvegarder l'indépendance et la neutralité du Siam. C'est dans cette vue que nous avons proposé d'abord de réserver à cet État des contrées s'étendant au sud de la frontière Chinoise, entre la Salouen et le Mékong d'une part, entre la Nam Hou et le Mékong d'autre part, notre renonciation à toute influence sur les territoires situés à l'ouest du Nam Hou ayant pour contre partie la renonciation de l'Angleterre aux territoires situés à l'est de la Salouen. Nous avons plus tard, dans un but de simplification et pour hâter, dans l'intérêt commun, une solution, nous avons proposé de substituer à nos propositions premières un projet par lequel les deux pays auraient borné leur sphère d'influence au Mékong, mais les deux pays également. Lord Salisbury de son côté m'a déclaré plusieurs fois qu'il était personnellement favorable à cette proposition. Quant à nos dispositions et à notre manière de voir concernant la garantie des intérêts du Siam, nous ne les avons modifiées en rien.

Les offres d'assistance que ferait à cette Puissance le Gouvernement Britannique auraient donc incontestablement le caractère d'une immixtion que nous étions d'accord pour prévenir et qui motiverait par conséquent une protestation formelle de notre part.

Aussi je veux espérer, M. le Comte, que vous voudrez bien me mettre en mesure d'adresser à mon Gouvernement les éclaircissements qui lui sont nécessaires sur ce point

et, en même temps, que vous verrez comme moi tout avantage à reprendre le plus tôt possible les pourparlers commencés entre votre prédécesseur et moi et à les conclure par un accord définitif. Ces négociations ne sauraient, pensons-nous, être interprétées comme impliquant un danger pour le Siam, car elles ont toujours eu à nos yeux et devront conserver pour base la nécessité d'assurer l'indépendance de cet État.

Veuillez, &c.
(Signé) WADDINGTON.

(Translation.)

M. le Comte,

London, February 22, 1893.

ON the 26th October last I had the honour to remind you of the conversations which passed between myself and your predecessor with the object of coming to an understanding as to the respective positions of France and England in Indo-China, and I requested your Lordship to be so good as to confirm the views which were expressed on this question by the Marquis of Salisbury, and which always favoured the idea of limiting the sphere of influence of our two countries in that part of the world.

On the 23rd December following you kindly sent me a written reply assuring me that nowhere would the possessions or the Protectorate of Great Britain extend on the other side of the Mekong.

I am instructed by my Government to take note of this assurance, and I should only have to express my thanks for it to your Lordship, seeing that the limit which you are good enough to assign to future English authority in Indo-China is precisely that which we had spontaneously declared ourselves ready to recognize, and which your predecessor has accepted. But your Lordship supplements these assurances by intelligence which, permit me to say, has very much surprised us.

In fact, you are good enough to inform me that, after having carried on the above-mentioned discussions with us, it is with Siam that the British Government has concluded an arrangement, of which you acquaint me with the principal points. This arrangement, of which we had received no notification, and of which we were in ignorance, would not only assign to English influence the territories situated on the right bank of the Upper Mekong, but would even damage our influence on the left bank, although we had declared expressly and on various occasions that no European Power, except ourselves, should, in our opinion, take any action there.

This intelligence appears to me to be in contradiction—

1. With the statements of your predecessor, who, when, in the course of recent years, we discussed this question, repeated to me several times that England was still far from touching the Mekong, and who consequently assured me implicitly that the question could not be prejudged during the course of our discussions.

2. With the statements made to me by your Lordship himself, in your communication referred to above. Indeed, if England declares her pretensions to be limited to the right bank of the Mekong, she cannot simultaneously, it would seem, arrange to exercise her influence or her intervention on the left bank. Still, this is what would happen if the Queen's Government gave effect to the designs mentioned to me by your Lordship, according to which they would contemplate offering their assistance to Siam for the settlement of a boundary question between that State and the Chinese Empire to the east of the Mekong.

This result would be in absolute opposition to the objects which brought about the discussions between the Queen's Government and that of the Republic, the principle of which we were warranted in considering as beyond all dispute, and the object of which was precisely to remove beforehand and by mutual agreement, by means of a precise arrangement, all possibility of a conflict of influence between our two countries in those regions. As regards ourselves, our object from the outset, which it is not amiss to recall to mind at the present moment, was, further, to preserve the independence and the neutrality of Siam. It is with this view that we originally proposed to reserve to that State districts lying to the south of the Chinese frontier, between the Salween and the Mekong on the one side, between the Nam U and the Mekong on the other, our abandonment of all influence over the territories situated to the west of the Nam U being set against the abandonment by England of the territories situated to the east of the Salween. In order to simplify matters and expedite a solution, in the common interest, we proposed, later, to substitute for our first proposals a scheme by which the two countries should restrict their spheres of influence to the Mekong, but the two countries equally. Lord Salisbury, for his part, declared to me several times that personally he was in favour of this proposal. As regards our arrangements and views

respecting the guarantee of Siamese interests, we have **not** modified them in any particular.

Offers of assistance, therefore, made to that Power by the British Government would indisputably bear the character of an interference which we were agreed to prevent, and which consequently might give cause for a formal protest on our part.

I therefore hope, M. le Comte, that you will be good enough to enable me to furnish my Government with the necessary explanations on this point, and that, at the same time, you will recognize, as I do, the advantage of resuming as soon as possible the discussions commenced between your predecessor and myself, and of bringing them to a conclusion by a definitive agreement. These negotiations could not, in our opinion, be interpreted as implying a danger for Siam, for in our view they have always had, and should retain as their basis, the necessity of insuring the independence of that State.

Accept, &c.
(Signed) WADDINGTON.

No. 26.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, March 8, 1893.

M. WADDINGTON spoke to me to-day on the subject of the Mekong River and the boundaries of Siam. I pointed out to his Excellency that there seemed to be one initial difficulty.

It was that the Mekong appeared to run through Siam, and that we could hardly say that one part of Siam was under British influence and another part under French.

M. Waddington rejoined that his Government did not admit that any part of Siam lay on the left bank of the Mekong, but regarded the country lying on that side as belonging to Annam.

I could not conceal my surprise at this communication.

I am, &c.
(Signed) ROSEBERY.

No. 27.

Captain Jones to the Earl of Rosebery.—(Received March 10.)

(Telegraphic.)

Bangkok, March 10, 1893.

FRANCE and Siam.

Charge of invading Annam has been brought against Siamese Government. They protest, and are prepared to refer matter to arbitration, but French Government seem to be unwilling to accept this.

A *modus vivendi* should be arranged in order to avoid the chance of collision during the negotiations for fixing a definitive boundary.

No. 28.

Captain Jones to the Earl of Rosebery.—(Received March 15.)

(Telegraphic.)

Bangkok, March 15, 1893.

INSTRUCTIONS have been received by the French Minister to put forward a claim bringing the boundary of Annam up to the eastern bank of the River Mekong. The Siamese Government protests against this pretension on the part of Annam, which implies an increase of territory. They insist that any delimitation must be based upon actual possession, and that such a basis can only be modified by any rights which can be justified by the French. Siam is willing to refer any doubtful points to arbitration.

Captain Jones to the Earl of Rosebery.—(Received March 22.)

(Telegraphic.)

Bangkok, March 22, 1893.

THE suggested *modus vivendi* between France and Siam is rejected by the French Minister here until the Siamese evacuate positions occupied by them which are said to be in the territory of Annam. France does not intend to renounce any claim of Cambodia and Annam. Pending further instructions, French Commodore remains here with his gun-boat. It is advisable, in the event of possible complications, that a British gun-boat should be sent to Bangkok to protect British property and maintain order.

The Earl of Rosebery to M. Waddington.

M. l'Ambassadeur,

Foreign Office, April 3, 1893.

THE note which your Excellency did me the honour to address to me on the 22nd February, with regard to respective spheres of influence of Great Britain and France in the vicinity of the Upper Mekong River, has received the careful attention of Her Majesty's Government.

I must be allowed, in the first place, to correct what appears to be a misapprehension of the tenour of my note of the 23rd December, though it may perhaps be only an inaccuracy of expression.

I did not in that note "declare," as your Excellency says, "that nowhere would the possessions of the Protectorate of Great Britain extend beyond the Mekong."

What I stated was that, under the recent arrangement between Great Britain and Siam, the Mekong would in a part of its course form the boundary between a British Protectorate and the Siamese dominions, but that nowhere would the British possessions or Protectorate under that arrangement extend beyond that river.

In this paragraph of my note I was therefore only dealing with the arrangement concluded between Great Britain and Siam.

In the next paragraph of the note I stated that Her Majesty's Government were proposing to transfer to China, on certain conditions, the rights over the Province of Kiang Hung, which Great Britain has acquired in virtue of the annexation of Burmah.

There can be no doubt as to the existence of these rights any more than of the rights formerly possessed by Kyangton over the State of Kyaing Chaing, and although Her Majesty's Government are willing to cede them to China on certain conditions, as they have already agreed to cede Kyaing Chaing to Siam, they cannot consent to their being ignored or denied pending the conclusion of an arrangement. If these arrangements with China and Siam be effected the British possessions or Protectorate will, as a matter of fact, here as elsewhere not extend beyond the Mekong.

In ceding to Siam territory to the east of the Mekong, and the eastern portion of which is surrounded by other Siamese possessions, Her Majesty's Government are retrenching the area of the British Protectorate, but it is obvious that if Siam should at any time abandon the district of Kiang Chaing, the rights of the British Crown in regard to the whole of that district, whether lying to the east or the west of the Mekong, would revive.

In any case, Her Majesty's Government cannot consider that any other Government could have any sufficient ground for objecting to the participation of Great Britain in the demarcation of the frontier between Kiang Hung and Kyaing Chaing.

Nor do they think that such objection could be taken to her affording assistance for the further demarcation of the frontier between districts in the sole possession of China and Siam, if this were desired by the two Powers principally concerned.

But as regards this latter point, I did not go further in my note of the 23rd December than to express a belief that assistance of this description would be to the general advantage. Her Majesty's Government have reason to believe that the participation of a third Power in the demarcation of the boundaries between countries in the sole possession of China and Siam would be unpalatable to the Chinese Government, and they do not, therefore, intend to make any proposal on the subject.

I have not found in the archives of this Department any record of the assurances which your Excellency states, that you received from Lord Salisbury that he was

personally favourable to the proposal that Great Britain and France should declare that their respective spheres of influence should be limited by the Mekong River. I presume, however, that these statements were simply informal expressions of a *prima facie* and purely personal opinion, for I find in his Lordship's despatch to Her Majesty's Minister at Paris, recording the conversation which he had had with you on the 16th February, 1892, and in which you first brought the proposal forward, the following observation: "I said that the proposal was one of which it was impossible for me to judge without consulting Departments immediately concerned, and that I would communicate his suggestion to the India Office without delay."

Nor have I been able to find any official record of the previous proposal of the French Government now mentioned by you, to reserve to Siam countries extending to the south of the Chinese frontier, between the Salween and Mekong on one side and between the Nam Oo and Mekong on the other.

I find a record of a conversation between your Excellency and Lord Salisbury on the 2nd April, 1889, in which you made unofficially a proposal for the neutralization of Siam, and stated the desire of the French Government to establish that country as a strong, independent kingdom, with well-defined frontiers on both sides, by which a permanent barrier might be established between the possessions of Great Britain and France in the Indo-Chinese Peninsula.

Your Excellency went on to say:—

"It would be necessary, in the first instance, that the frontier between Cochin China and Siam should be fixed, and Her Majesty's Government would no doubt desire a settlement of the boundaries of Burmah.

"As regarded the frontier of Cochin China, the French Government did not wish to extend it to Luang Prabang, but they would propose to draw a line from a point nearly due east of that place southward to the Mekong, and below that point to make the river the dividing-line between the two countries until it entered the territory of Cambodia. They considered that, both on the French and English side, the boundaries of Siam should be defined up to the Chinese frontier."

Lord Salisbury adds:—

"I said that, while fully sympathizing with the general objects indicated by his Excellency, I was unable, without fuller particulars as to the contemplated arrangements, to express an opinion on his proposals, but that I would have the question examined, and that I should be glad if he could let me have more exact details as to the proposed line of frontier between Cochin China and Siam."

On the 27th August following, Lord Salisbury addressed to your Excellency a note, in which he stated that Her Majesty's Government were favourably inclined to such an arrangement as you had proposed, by which a strong independent Kingdom of Siam with well defined frontiers will be established. He forwarded a Map showing the approximate boundaries of Siam towards the north-west and north, such as they had hitherto been considered by Her Majesty's Government to exist, and stated that, on hearing from you what were the views of the French Government as to the limits of Siam on the east and north-east, he should be happy to consider with you what step should next be taken for carrying your proposal into effect. He added that the extent of territory claimed by Siam and the validity of those claims could, of course, only be determined in communication with the Government of Siam itself.

No answer has been received to this note, and Her Majesty's Government have never been placed in possession of the views of the French Government as to the limits of Siam on the east and north-east. They are only aware from the tenour of your Excellency's communication of the 3rd April, 1889, above referred to, that the French Government did not claim to extend the frontier of Cochin China so far as the Mekong, in the neighbourhood of Luang Prabang, and that they further considered that the boundaries of Siam did extend up to the Chinese frontier, and should be defined up to it.

Her Majesty's Government have not attempted to express an opinion, or to enter into any discussion on the question of the proper frontier of Siam towards the French possessions. But they do not consider it admissible, and they scarcely conceive that the French Government can wish to propose, that the two Governments should assume exclusive spheres of influence in territory which actually belongs or which may hereafter be assigned to Siam, and that their respective interests in the independence and integrity of that kingdom should be divided by the Mekong River. Such an arrangement has, as far as I am aware, no precedent in international practice, and seems at variance with the principle of the national independence of Siam, which both Governments wish to preserve.

As regards territories outside of Siam, Great Britain, as I have already explained, has

acquired certain rights to the east of the Mekong in virtue of her annexation of Burmah and her Protectorate of Kyangton. Some of those rights Her Majesty's Government have arranged to cede to Siam, and the others they are proposing to cede on certain conditions to China. They have frankly explained their intentions to the French Government, who will see that they are not of a nature to give rise to uneasiness or jealousy on the part of France. But until these arrangements are completed, and they are furnished with some more definite explanations of the views of the French Government with regard to the frontiers of Siam on the east and north-east, it does not seem to them that there is a sufficiently clear basis for a formal engagement between the two Governments with regard to their respective interests and spheres of influence in these regions.

I have, &c.
(Signed) ROSEBERY.

No. 31.

The Marquis of Dufferin to the Earl of Rosebery.—(Received April 6.)

My Lord,

Paris, April 5, 1893.

WITH reference to my despatch of the 7th ultimo, I have the honour to inclose herewith to your Lordship an extract from the "Matin" of to-day's date, which contains a telegram announcing the occupation by the French of Stung-Treng, at the conjunction of the Mekong and Se-Sane Rivers.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 31.

Extract from "Le Matin" of April 5, 1893.

STUNG-TRENG.—LE DÉBLAITEMENT DE LA RIVE GAUCHE DU MÉKONG.—Tandis que les patriotes rougissent de honte au spectacle de nos misères intérieures, ils reçoivent des pays les plus lointains d'heureuses consolations.

M. Delcassé recevait hier la dépêche suivante :—

"Saigon, le 3 Avril.

"Conformément à vos instructions et à la suite des mesures que j'ai prises, Stung-Treng a été occupé Samedi sans coup férir par nos troupes.

"Le Commissaire et les soldats Siamois se sont retirés sur l'invitation du Résident Français qui dirigeait l'opération."

(Translation.)

STUNG-TRENG.—CLEARING THE LEFT BANK OF THE MEKONG.—While patriots are blushing at the sight of our troubles at home, they are consoled by good tidings which reach them from the most distant countries.

M. Delcassé received the following telegram yesterday :—

"Saigon, April 3.

"In accordance with your instructions, and in consequence of the measures I have taken, Stung-Treng was occupied on Saturday by our troops without striking a blow.

"The Siamese Commissioner and soldiers retired at the summons of the French Resident, who was conducting the operation."

No. 32.

Captain Jones to the Earl of Rosebery.—(Received April 6.)

(Telegraphic.)

Bangkok, April 6, 1893.

SIAMESE Government are firmly resisting French demands. French Minister has announced that another gun-boat may shortly be expected.

No. 33.

Captain Jones to the Earl of Rosebery.—(Received April 7.)

(Telegraphic.)

Bangkok, April 7, 1893.

THE armed occupation of Stung-Treng, a town on Siamese territory, by the French on 1st instant is confirmed by our Consul at Saigon.

The Marquis of Dufferin to the Earl of Rosebery.—(Received April 12.)

My Lord,

Paris, April 10, 1893.

I HAVE the honour to inclose herewith, extracted from the "*Matin*" of this date, copy of a telegram which has been received at the French Colonial Office from the Governor of Tonkin, announcing the occupation by the French troops of the Island of Khone.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 34.

Extract from the "Matin" of the 10th April, 1893.

NOUVEAU SUCCÈS.—PRISE DE L'ÎLE DE KHÔNE.—UNE DÉPÊCHE DE M. DE LANESSAN.—M. Delcassé, Sous-Secrétaire d'État aux Colonies, vient de recevoir de M. de Lanessan la dépêche suivante, datée de Saïgon, 8 Avril :—

"L'île de Khône a été occupée par nos troupes sans coup férir le 4 Avril. Le Commissaire et les soldats Siamois se sont retirés sur l'invitation du Résident Français.

"Notre installation est déjà faite à Stung-Treng et à Khône."

(Translation.)

FURTHER SUCCESS.—OCCUPATION OF THE ISLAND OF KHÔNE.—A DESPATCH FROM M. DE LANESSAN.—M. Delcassé, Under-Secretary of State for the Colonies, has just received the following telegram from M. Lanessan, dated Saigon, 8th April :—

"Our troops have occupied the Island of Khône on the 4th April, without firing a shot. The Siamese Commissioner and soldiers retired at the request of the French Resident.

"We have already taken up our positions at Stung-Treng and Khône."

No. 35.

Vice-Admiral Sir E. Fremantle to Admiralty.—(Communicated to Foreign Office, April 12.)

(Telegraphic.)

Hong Kong, April 12, 1893.

THE Senior Officer at Singapore has been informed by a Siamese Prince that the French have attacked the borders of Siam, and that serious apprehensions are involved by the situation. Further complications are considered probable by the British Minister.

One French boat is off the town of Bangkok, with the Commodore, and another at the mouth of the river.

I propose to send Her Majesty's ship "*Swift*" to watch the course of events in that quarter.

No. 36.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, April 12, 1893.

THE Siamese Legation in London appear to be much disquieted with regard to the proceedings of the French.

I have been expecting to receive information from you as to the exact nature of the French demands and the counter-proposals of the Siamese Government.

I should be glad to know whether there have been indications on the part of the French gun-boat now at Bangkok to adopt forcible measures.

It seems scarcely likely that the French Government intend to push matters with the Siamese to extremes, further than by occupying the territory to which they lay claim, but I should wish to hear your view of the situation.

The Earl of Rosebery to Captain Jones.

Sir,

Foreign Office, April 12, 1893.

I RECEIVED on the 7th instant a pressing request for an interview from the Siamese Minister.

As I was unfortunately unable to receive the Minister, Mr. Verney, the English Secretary of the Siamese Legation, called in the course of the afternoon, and communicated a telegram from the Siamese Minister for Foreign Affairs, of which the following is the substance :—

The *modus vivendi* proposed by Siam has been refused by France, who insists upon the withdrawal of the Siamese military and official posts east of the Mekong. In their place Annamite posts will be set up, and the French claims will be pushed forward as far as possible.

The Siamese Government are unable to grant the terms asked, but will be ready to submit the matter to international arbitration.

The French gun-boat now at Bangkok evidently intends to remain there, and another gun-boat now on the way is expected to arrive on the 8th instant.

Although friendly intentions towards Siam are professed, there is every appearance of forcing unacceptable terms upon the Siamese Government by menaces. Negotiations between the two parties are still pending, but the Siamese Government are determined to resist to the utmost.

The present state of affairs is much more serious than was anticipated, and the Siamese Government are anxious lest excitement should be caused by the presence of French gun-boats at Bangkok and in the centre of trade, and thus injure the interests of all nations concerned.

The Siamese Minister was instructed to see me at once, and ascertain the attitude of Her Majesty's Government.

Mr. Verney called again on the 10th instant, and repeated the Minister's request for an interview. He stated that a fresh telegram had been received from the Siamese Government to the effect that it was urgent that a protest against the proceedings of the French should at once be presented.

My answer to these communications was to the effect that I regretted sincerely to hear that the relations between France and Siam had assumed so unsatisfactory an aspect, but that I doubted whether the intervention of Her Majesty's Government would tend to improve matters. Arbitration could, of course, only be resorted to if both parties agreed to accept it. It was equally a matter of experience that mediation was rarely, if ever, successful unless both parties desired it, and that an unsuccessful attempt at mediation tended only to embitter the dispute. The Minister must be aware of the unfounded allegations in the French press that the British Government had, for purposes of their own, been encouraging the Siamese Government to assume an aggressive attitude towards France. These statements and suspicions, however groundless, made it unlikely that representations by Her Majesty's Government on behalf of Siam would tend to allay any irritation which might exist on the part of the French Government.

I thought, therefore, that it would be more prudent if the Siamese Minister refrained from asking for an official interview, which was sure to be noticed in the press, and confined himself to informal communications through Mr. Verney. As regards the protest mentioned in the telegram, it seemed to me that it must be to the French Government that it was to be presented. In the event of its being disregarded, the Siamese Government had still the alternative of appealing generally to all the friendly Powers with whom Siam is in diplomatic relations, but before taking so serious a step they would, I thought, do wisely to warn the French Government of their intention.

I have suggested that it would be desirable that I should be made acquainted with the exact nature of the French demands, of which we have at present only the vaguest intimation, and a knowledge of which is essential to the proper consideration of the matter.

I am, &c.

(Signed) ROSEBERY.

Captain Jones to the Earl of Rosebery.—(Received April 13.)

(Telegraphic.)

Bangkok, April 13, 1893.

NOTICE has been given by the French Minister here that Stung-Treng has been occupied by the French Government, and also the Island of Kong, in the disputed territory below the rapids, with the object of transporting steamers to the upper waters of the River Mekong.

The second French gun-boat, together with the Commodore, are returning to-day to Cochin China.

Captain Jones to the Earl of Rosebery.—(Received April 13.)

(Telegraphic.)

Bangkok, April 13, 1893.

I HAVE received your Lordship's telegram of the 12th instant.

The French demands up to the present time are as follows:—

1. The immediate evacuation by the Siamese of all the posts established since 1888 on assumed Annamite territory.

2. The immediate release of a Siamese subject who was put into prison by the Siamese Government in 1890 for having raised the French flag on assumed Annamite territory.

3. The payment to certain French traders of heavy compensation on account of losses which they allege they have sustained owing to the action of Siamese officials in the provinces in the interior. Still, I am inclined to believe that the recent seizures effected by the French on the Lower Mekong will allow them to remain satisfied for the present.

Foreign Office to Admiralty.

Sir,

Foreign Office, April 13, 1893.

I HAVE laid before the Earl of Rosebery your letter of yesterday, inclosing the paraphrase of a telegram from the Commander-in-chief of Her Majesty's naval forces on the China Station in regard to the political situation in Siam, and the proceedings of the French in that country.*

I am to request that you will state to the Lords Commissioners of the Admiralty that his Lordship concurs in the proposal of the Commander-in-chief to send Her Majesty's ship "Swift" to watch the course of events at Bangkok.

I am, &c.

(Signed) T. H. SANDERSON.

Captain Jones to the Earl of Rosebery.—(Received April 14.)

(Telegraphic.)

Bangkok, April 14, 1893.

I HAVE the honour to report, in continuation of my preceding telegram on the questions at issue between France and Siam, that the Siamese continue to maintain their original proposals, viz.:—

1. The provisional neutralization of the belt of territory within which the frontier common to both countries will be determined.

2. Actual occupation, modified by such prior rights as may be proved by either one party or the other, shall constitute the basis of possession.

3. A reference to international arbitration of all questions which it shall be found cannot be possibly settled otherwise.

The French gun-boat sent to Bangkok in the first instance still remains here.

No. 42.

Captain Jones to the Earl of Rosebery.—(Received April 20.)

(Telegraphic.)

Bangkok, April 20, 1893.

BY instructions of Admiral, China Squadron, Her Majesty's ship "Swift" arrived at Bangkok from Singapore. Everything peaceful.

No. 43.

Admiralty to Foreign Office.—(Received April 22.)

Sir,

Admiralty, April 22, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the paraphrase of a telegram, dated 22nd April, from the Commander-in-chief on the China Station.

I am, &c.

(Signed). EVAN MACGREGOR.

Inclosure in No. 43.

Vice-Admiral Sir E. Fremantle to Admiralty.

(Telegraphic.)

Hongkong, April 22, 1893, 5 A.M.

I HAVE received a telegram from the Officer commanding Her Majesty's ship "Swift" at Bangkok. He states that the Siamese consider the French demands excessive, and that they intend to resist. The Siamese are preparing to sink ships at the mouth of the Menam, and they are buying gunpowder. It is expected that there will be riots at Bangkok. The "Swift" remains there, and the "Lutin" is also off Bangkok.

No. 44.

Captain Jones to the Earl of Rosebery.—(Received April 24.)

(Telegraphic.)

Bangkok, April 24, 1893.

I HAVE the honour to state to your Lordship that the Siamese Government have been informed by the French Minister that his Government decline to entertain proposed arbitration or to remove their gun-boat from Bangkok before the Siamese comply with their demands.

The Siamese Government are disposed to invite the United States' Government to mediate between them and the French Government.

No. 45.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, April 24, 1893.

REFERRING to your telegram of this day's date respecting the relations between France and Siam, you should take an opportunity of urging prudence on the Siamese Government, and should impress upon them the necessity of abstaining from any action whereby a rupture with France might be precipitated.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, April 24, 1893.

WITH reference to the last paragraph of your telegram of this day's date, you might point out to the Government of Siam that the Government of the United States could hardly undertake the task of mediation between France and Siam unless both parties concerned invited her to do so.

The Earl of Rosebery to Captain Jones.

Sir,

Foreign Office, April 24, 1893.

MR. VERNEY, the English Secretary of the Siamese Legation in London, called to-day at the Foreign Office, and spoke with Sir Philip Currie in regard to the present state of the political relations between France and Siam.

He was told that instructions had been sent to you by telegraph to recommend the Siamese Government that they should take no action which would precipitate a rupture with France, and that they should exercise great caution.

Mr. Verney inquired whether, in Sir P. Currie's opinion, it would be wise of the Siamese to endeavour to obtain the mediation of European Powers.

Sir P. Currie replied that he thought they had much better endeavour to get the best terms they could from the French Government.

Mr. Verney said that the French have not yet laid claim to Luang Prabang.

I am, &c.

(Signed) ROSEBERY.

The Earl of Rosebery to Captain Jones.

Sir,

Foreign Office, April 26, 1893.

REFERRING to my despatch of the 24th instant, I have to inform you that in the course of conversation with Sir P. Currie on the following day, Mr. Verney stated that no demands whatever were addressed to the Siamese Government by France before the French troops seized the territory on the east of the Mekong.

He said that no information as to the intentions of the French Government had reached the Government of Siam except that obtained from the newspapers.

I am, &c.

(Signed) ROSEBERY.

M. Waddington to the Earl of Rosebery.—(Received May 3.)

M. le Comte,

Londres, le 30 Avril, 1893.

IL appartiendra à mon successeur de continuer avec votre Seigneurie les négociations relatives aux sphères respectives d'influence de la France et de l'Angleterre, mais, avant de quitter cette Ambassade, il est de mon devoir de vous signaler quelques inexactitudes qui se sont glissées dans votre dépêche du 3 Avril dernier.

Votre Seigneurie m'écrit qu'elle n'a pas trouvé dans les archives de son Département la trace de la proposition que j'avais faite à Lord Salisbury de réserver au Siam les territoires au sud de la frontière Chinoise entre la Salouen et le Mékong, d'un côté, et entre le Mékong et le Nam Hou de l'autre. Cette proposition a été faite au cours d'un long entretien que j'ai eu avec Lord Salisbury le 4 Avril, 1889, entretien que j'ai consigné par écrit en sortant du Foreign Office en ces termes :—

“ Comme vous êtes maîtres de l'embouchure de la Salouen, nous proposons que ce fleuve, qui constitue déjà sur une partie de son cours la frontière entre vous et le Siam, le soit dans toute son étendue vers le nord. D'autre part, comme la France est maîtresse des

bouches du Mékong, nous proposons pour frontière orientale du Siam le cours de ce fleuve depuis la limite du Cambodge jusqu'à un point à déterminer en aval de Luang Prabang. Cette ville, avec un territoire à déterminer, ferait partie du Siam, et la frontière suivrait ensuite le cours du Nam Hou vers le nord jusqu'à sa rencontre avec la frontière Chinoise."

C'était donc un très grand territoire que nous nous propositions à cette époque de confier au Siam, territoire alors occupé par une foule de tribus plus ou moins barbares et indépendantes; je l'indiquai à Lord Salisbury sur une Carte du Foreign Office qui était déployée devant nous.

Ces premiers pourparlers n'ayant pas abouti, la négociation ne fut sérieusement reprise que le 16 Février, 1892, et alors je proposai pour la première fois formellement à Lord Salisbury de prendre pour limite de nos zones respectives d'influence le cours même du Mékong qui coupe en deux le territoire qu'il était question d'attribuer d'une façon générale au Siam.

Lord Salisbury me répondit que l'idée méritait un examen sérieux, et qu'il en parlerait à son collègue des Indes.

Le 11 Mai, 1892, j'eus une nouvelle conversation avec votre prédécesseur sur le même sujet. Il me dit alors qu'il était personnellement favorable à l'adoption de la ligne du Mékong, mais qu'il n'avait pas encore reçu le rapport du Ministre des Indes, et il a ajouté:—

"Comme nous sommes encore fort loin du Mékong, mon collègue des Indes ne regarde pas probablement la question comme bien urgente."

Vous trouverez, sans doute, dans les archives du Foreign Office les notes de Lord Salisbury sur ce dernier entretien.

Depuis lors je n'ai plus eu occasion de reprendre le sujet avec lui en détail, mais plusieurs fois il m'exprima incidemment une opinion favorable à la proposition que j'avais faite.

Veuillez, &c.
(Signé) WADDINGTON.

(Translation.)

M. le Comte,

London, April 30, 1893.

IT will be for my successor to continue with your Lordship the negotiations relative to the respective spheres of influence of France and England; but before leaving this Embassy it is my duty to call attention to certain inaccuracies which have crept into your despatch of the 3rd April last.

Your Lordship writes to me that you have not found any trace in the archives of your Department of the proposal which I made to Lord Salisbury to reserve to Siam the territory to the south of the Chinese frontier between the Salween and the Mekong on the one side, and between the Mekong and the Nam U on the other. That proposal was made in the course of a long interview which I had with Lord Salisbury on the 4th April, 1889, and which I recorded in writing on my return from the Foreign Office in the following terms:—

"As you are masters of the mouth of the Salween, we propose that that river, which already along part of its course forms the frontier between you and Siam, should do so as through its length northwards. On the other hand, as France is mistress of the mouths of the Mekong, we propose the course of that river as the eastern frontier of Siam from the boundary of Cambodia to some point below Luang Prabang, to be fixed hereafter. That town, with an amount of territory also to be settled hereafter, would belong to Siam, and the frontier would afterwards follow the course of the Nam U towards the north up to its meeting with the Chinese frontier."

It was therefore a very large territory which we at that time proposed to leave to Siam, a territory then occupied by a number of more or less barbarous and independent tribes; I pointed this out to Lord Salisbury on a Foreign Office Map which was laid out before us.

These first conversations not having led to any result, the negotiation was not seriously taken up again till the 16th February, 1892, and I then for the first time formally proposed to Lord Salisbury to take as the limit of our respective zones of influence the actual course of the Mekong, which cuts in two the territory which it was a question of giving in a general manner to Siam.

Lord Salisbury answered that the idea was worthy of serious examination, and that he would speak to his colleague, the Secretary of State for India, about it.

On the 11th May, 1892, I had a fresh conversation with your predecessor on the same subject. He then said that he was personally favourable to the adoption of the

line of the Mekong, but that he had not yet received the report of the Secretary of State for India, and he added :—

“As we are still very far from the Mekong, probably my colleague does not consider the question as very urgent.”

You will no doubt find in the archives of the Foreign Office Lord Salisbury's notes upon this last interview.

After this I did not have any further opportunity of recurring to the subject with him in detail, but he several times expressed incidentally a favourable opinion upon the proposal which I had made to him.

I have, &c.
(Signed) WADDINGTON.

No. 50.

Consul Tremlett to the Earl of Rosebery.—(Received May 6.)

My Lord,

Saigon, April 9, 1893.

I HAVE the honour to confirm my telegram of the 6th instant reporting the occupation of Stung-Treng.

Rumours of this occupation had been current for some days, but so many reports are rife here, destitute of any foundation, I did not telegraph until the text of the Resident's Message was published. I shall inclose other news if published in time.

Reports vary as to the actual number of men (native infantry) sent to the scene—400 to 1,000. I favour the smaller number.

The small gun-boat “Comète” is being fitted out for Bangkok, where the “Lutin” remains.

It is also reported that some troops will be sent out from France.

I have, &c.
(Signed) CHAS. F. TREMLETT.

No. 51.

Count Metternich to the Earl of Rosebery.—(Received May 8.)

Dear Lord Rosebery,

London, May 5, 1893.

COUNT HATZFELDT has informed the Imperial Government that in the conversation which he had with you about a week ago, and where the menacing conflict between France and Siam was also touched upon, you had kindly offered the protection by the English man-of-war in the Siamese waters of the German subjects in Siam in case of need.

We shall, if necessary, gladly accept your offer, and I am desired by Count Hatzfeldt to inform you that he is instructed to express to you the Imperial Government's best thanks for your kind offer.

Believe me, &c.
(Signed) P. METTERNICH.

No. 52.

Captain Jones to the Earl of Rosebery.—(Received May 12.)

(Telegraphic.)

Bangkok, May 12, 1893.

THE French have been attacked in the Island of Khone, and the inhabitants of the valley of the Lower Mekong are rising against them.

Casualties amongst the European officers are reported from Saigon, and 1,000 men are leaving to reinforce the French troops on the frontier.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, May 12, 1893.

NEWS having been received to-day from Bangkok that the Siamese had attacked the French in the Island of Khong in the Lower Mekong Valley, and inflicted some loss on them, I thought it desirable, in view of the statements in the French press that the Siamese had been encouraged in their opposition to France by Her Majesty's Government, that the French Government should be made aware of the nature of the advice that I had given to Siam.

Sir P. Currie, accordingly, by my desire, while expressing to M. d'Estournelles my regret at the news of the fighting on the Mekong, informed him of the substance of the advice given to the Siamese Representative.

M. d'Estournelles expressed his gratitude for this communication, and said that he would at once transmit it to M. Develle.

I am, &c.
(Signed) ROSEBERY.

The Earl of Rosebery to Baron d'Estournelles.

M. le Chargé d'Affaires,

Foreign Office, May 12, 1893.

I HAVE the honour to acknowledge the receipt of the note addressed to me by M. Waddington on the 30th ultimo respecting certain communications which had passed between his Excellency and my predecessor on the respective spheres of influence of Great Britain and France in the neighbourhood of the Mekong, and which his Excellency considers to be incorrectly described in my note of the 3rd of that month.

M. Waddington refers in the first place to a conversation which took place between him and Lord Salisbury on the 4th April, 1889, and in the course of which he states that he proposed that the Salween should form the frontier between the British possessions and Siam throughout its course to the north, while the Mekong should form the eastern frontier of Siam from the limits of Cambodia up to a point to be fixed below Luang Prabang, that that place with a certain amount of territory to be determined should belong to Siam, and that the frontier should then follow the course of the Nam Ou northwards up to the Chinese frontier.

I transmit to you herewith a copy of a despatch from Lord Salisbury to the Earl of Lytton,* which appears to be a record of this conversation, but which is dated the 3rd April, 1889, and states that the interview had taken place on that afternoon. The terms of M. Waddington's proposal are given somewhat differently, but there is nothing in Lord Salisbury's description of it which conflicts with M. Waddington's statement, and I have only to thank his Excellency for supplying some further particulars which Lord Salisbury omitted to record.

Of the conversation to which his Excellency next refers, and which took place on the 16th February, 1892, I find a record in a despatch to Mr. Egerton of that date, of which I also inclose a copy.† Lord Salisbury appears to have understood that the proposal made to him on that occasion was put forward unofficially, and not formally, and he states that he spoke of it as one of which it was impossible for him to judge without consulting Departments immediately concerned.

Of the conversation which M. Waddington describes as having taken place on the 11th May, 1892, a record exists in a despatch to the Marquis of Dufferin, dated the previous day, as you will see by the inclosed copy of this despatch.‡ Lord Salisbury does not mention that he offered any opinion on the proposal. M. Waddington states that Lord Salisbury on this and other occasions expressed himself as personally favourable to it, but I understand that Lord Salisbury does not himself recollect having said more than that an arrangement on the subject between the two Powers was desirable. In any case it would be very natural that his Lordship should have thought it unnecessary to place on official record an observation of this nature which could have no ground or binding effect,

* No. 3.

† No. 14.

‡ No. 16.

as he had made it clearly understood that a decision could only be taken after the views of the Secretary of State for India had been received and considered.

I think it will be clear from the above that, with the exception of a slight and unimportant discrepancy as to the exact days on which two of the conversations took place, the account of them given in Lord Salisbury's despatches and in my note of the 3rd ultimo substantially agrees with that given by M. Waddington, although certain details were wanting which I am obliged to his Excellency for supplying.

I have, &c.
(Signed) ROSEBERY.

No. 54.

Foreign Office to Admiralty.

Sir, *Foreign Office, May 12, 1893.*

I AM directed by the Earl of Rosebery to state that, in a recent conversation with the German Ambassador, his Lordship offered that, in the event of complications arising between France and Siam, Her Majesty's ships of war in Siamese waters should, in case of need, undertake the protection of German subjects in those parts.

Count Hatzfeldt, having referred this suggestion to the Imperial Government, has stated that it is gladly accepted, and has expressed their best thanks for the same.

Lord Rosebery would be glad if the Lords Commissioners of the Admiralty would issue the requisite instructions on this subject to the Senior Naval Officer in Siamese waters.

I am, &c.
(Signed) T. H. SANDERSON.

No. 55.

The Earl of Rosebery to Captain Jones.

Sir, *Foreign Office, May 13, 1893.*

MR. VERNEY called at the Foreign Office this afternoon, and was informed of the substance of your telegram of yesterday as to the attack made on the French positions at Khone.

Mr. Verney said that the Siamese Minister at Paris had endeavoured to obtain from M. Develle a statement of the French demands, but that M. Develle had put him off by saying that the papers were not complete, and that the matter must wait for a few days. The Siamese Minister had warned M. Develle that the Siamese and French forces were in dangerous proximity, and that it was difficult for the Siamese Government at Bangkok to keep their officers under control at such a distance.

Mr. Verney added that he was sure that the Siamese Government were not the instigators of this attack, but that there were in the Mekong district a number of half-savage tribes who were ready to take an opportunity to create disturbance.

He said he was going over to Paris for a few days, and it was suggested that it would be wise to telegraph to Bangkok for some explanation which would be offered to the French Government of what had occurred.

I am, &c.
(Signed) ROSEBERY.

No. 56.

Consul Tremlett to the Earl of Rosebery.—(Received May 15.)

My Lord, *Saigon, April 14, 1893.*

I HAVE the honour to inclose extract from a Saigon newspaper concerning the occupation of the Island of Khone, near Stung-Treng.

A road has been started from Thu-du-Mot (18 miles from Saigon) to Kratie on

the Mekong, and the work is proceeding fast. The direction is about north-west by north, and the distance 95 miles, but no doubt the river will always prove the most useful route.

I have, &c.
(Signed) C. F. TREMLETT.

Inclosure in No. 56.

Extract from "L'Indépendant de Cochinchine" of April 11, 1893.

M. LE VICE-RÉSIDENT BASTARD télégraphie de Khone, à la date du 7 Avril, que la tranquillité est parfaite dans toute la région et que les habitants se mettent librement à sa disposition pour tous les travaux à faire.

OCCUPATION DE L'ÎLE DE KHONE.—L'Île de Khone a été occupée par les troupes Françaises à la date du 4 Avril.

Après avoir occupé Stung-Treng, le 1^{er} Avril, et en avoir fait retirer, sans coup férir, le Commissaire et les soldats Siamois, M. le Vice-Résident Bastard et le Capitaine Thoreux ont continué rapidement leur marche vers Khone. Ils avaient eu soin, bien entendu, de laisser à Stung-Treng une garnison sous le commandement du Lieutenant Moreau.

A l'arrivée à Khone le 4 Avril, M. Bastard a invité le Commissaire Siamois à céder la place en lui faisant connaître qu'il venait occuper l'île par ordre du Gouverneur-Général de l'Indo-Chine et en exécution des décisions du Gouvernement Français. Le Commissaire Siamois et ses soldats se sont retirés et ont abandonné l'île sans essayer aucune résistance. Il a été aussitôt procédé à notre installation définitive et le Capitaine Thoreux a organisé les travaux de défense de façon à rendre toute agression impossible.

M. le Gouverneur-Général avait déjà donné les ordres nécessaires pour que la ligne télégraphique dont le point terminus est actuellement Sambor soit prolongée sur la rive gauche du Mékong jusqu'à Stung-Treng et Khone. Matériel nécessaire envoyé de Saïgon, avait été échelonné sur divers emplacements. M. de Coulgeans qui a accompagné M. Bastard jusqu'à Khone vient de redescendre à Sambor pour diriger la construction de la ligne. La pose du fil est dès maintenant commencée et sera menée rapidement.

D'autre part, le Résident Supérieur du Cambodge est chargé d'établir une bonne route longeant le fleuve entre Kratié, Sambor, et Stung-Treng, tandis que les travaux de la route de Thudaumot à Kratié, déjà entamés, seront poussés aussi activement que possible.

M. Bastard, qui a la direction des affaires dans la région nouvellement occupée, redescendra prochainement à Stung-Treng pour organiser définitivement ce poste; et de là à Thboug-kla, point situé à moitié chemin entre Stung-Treng et Sambor où il doit créer un poste de surveillance intermédiaire qui facilitera beaucoup les ravitaillements. Il remontera ensuite à Khone où il aura à établir une voie Décauville permettant de faire passer à travers l'île, du bief intérieur au bief supérieur du Mékong, les tronçons des bateaux à vapeur démontables destinés à la navigation dans le haut fleuve.

La construction de ces bateaux, commandés à l'avance, est aujourd'hui presque terminée. Les tronçons seront transportés à Khone dès que l'époque des hautes eaux le permettra et y trouveront prêt tout le matériel nécessaire à la traversée de l'île et au remontage. Tout est donc doré et déjà combiné pour nous donner la certitude que les bateaux à vapeur de la France feront leur apparition dans le bief supérieur du Mékong, dans le délai le plus bref possible.

No. 57.

The Marquis of Dufferin to the Earl of Rosebery.—(Received May 16.)

My Lord,

Paris, May 15, 1893.

I HAVE the honour to inclose an article, apparently officially inspired, which appears in the "Temps" of this day, relative to the questions at issue between Siam and France.

A telegram from Toulon is also published stating that a transport about to proceed to French Indo-Annam has been delayed until the 16th instant for the embarkation of a reinforcement of 224 men, who are intended for any operation which may be necessary.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 57.

Extract from the "Temps" of May 15, 1893.

IL y a quelques jours la Légation de Siam à Paris adressait un communiqué au sujet des achats de matériel de guerre que l'on disait avoir été effectués par le Gouvernement Siamois en Autriche et en Angleterre. Elle ajoutait dans sa note qu'à Bangkok on n'envisageait nullement "l'éventualité du conflit avec la France, et que, bien plus, on avait toutes raisons d'être convaincu que la question de frontière allait être définitivement réglée à l'amiable."

On doit rapprocher ces déclarations du fait qui a été signalé hier, à savoir, l'attaque par des bandes Siamois du convoi de ravitaillement envoyé de Cochinchine à la petite colonne qui, sous la direction de M. Bastard, Résident de France, et sous le commandement du Capitaine Thoreux, occupe l'Ile de Khong.

On ignore encore à Paris les conditions dans lesquelles se serait produite cette attaque. M. Delcassé, Sous-Secrétaire d'État aux Colonies, a télégraphié, dès hier matin, à M. de Lanessan pour lui demander un complément d'information sur cet incident, dont la nouvelle est parvenue à Paris par le service de la marine en Cochinchine. La réponse du Gouverneur-Général n'est pas encore arrivée. On sait que M. de Lanessan est en ce moment au Tonkin, où il a cru devoir se rendre après avoir réglé les affaires Cochinchinoises, et donné les ordres pour la direction des démonstrations dans le Mékong.

Ces opérations étaient ou devaient être des mouvements préliminaires, et avaient pour but de montrer nettement au Gouvernement Siamois que nous étions résolus à mettre un terme à ses empiètements sur les territoires de l'Annam et du Cambodge. Or, les fonctionnaires Siamois qui dirigeaient les postes de Stung-Treng et de Khong, dans le Cambodge, de So-Sang, dans l'Annam, s'étaient retirés dès l'arrivée de nos agents. Ils agissaient ainsi, sans nul doute, conformément aux instructions reçues de Bangkok. On se demandera dès lors si l'attaque du convoi de ravitaillement de notre poste de Khong est le résultat de l'excès de zèle d'un fonctionnaire Siamois ou l'indice d'un revirement dans l'attitude du Gouvernement Siamois.

Nous ne pouvons supposer, pour le moment, que cette dernière explication soit la vraie. La Cour de Bangkok s'exposerait à de cruels mécomptes si elle supposait qu'il lui serait loisible de jouer impunément un double jeu : négocier ou paraître négocier soit à Paris, soit à Bangkok, alors que ses fonctionnaires et les bandes qu'elle entretient dans la vallée du Mékong se livreraient à des attaques à main armée contre nos agents.

Notre Gouvernement a fait preuve d'une grande longanimité dans le règlement de la question du Siam. Il a évité tout ce qui pouvait rendre aigu le conflit survenu entre les deux pays, et son attitude ultra-conciliante lui a même valu certaines critiques au sein même du Parlement, critiques que ne lui ont pas ménagées, en outre, certains organes réactionnaires parfaitement éclairés sur notre situation vraie en Indo-Chine, à la suite des enquêtes et des voyages d'un explorateur Princier.

Aujourd'hui l'heure est venue d'examiner les moyens pratiques de résoudre le litige. Le Siam peut désavouer ses fonctionnaires, et permettre au Gouvernement Français de donner satisfaction aux légitimes réclamations de nos protégés, le Cambodge et l'Annam. Mais, d'autre part, la Cour de Bangkok peut se croire en état de tenir tête à la France, en provoquant un conflit armé dans le Mékong, ce qui, dans son esprit, pourrait créer au Gouvernement Français des difficultés intérieures analogues à celles qui se sont produites en 1881 lors des affaires de Tunisie, en 1885 lors des affaires du Tonkin, et en 1889 lors des premières affaires du Dahomey.

Si telles sont ses idées, nous ne craignons pas de dire qu'elle fait fausse route. L'opinion publique en France sait, précisément par ces dures expériences, que le meilleur procédé pour empêcher les incendies de se propager, c'est d'en éteindre rapidement les premiers éléments. Aussi, le Gouvernement Siamois peut être assuré

que, si l'on a la conviction à Paris qu'il est la cause des difficultés que rencontrent nos agents dans l'accomplissement de leur tâche, on saura prendre les mesures pour résoudre la question du Siam au plus tôt, et conformément aux intérêts du pays.

No. 58.

The Marquis of Dufferin to the Earl of Rosebery—(Received May 16.)

(Telegraphic.)

Paris, May 16, 1893.

NEWS from the Mekong has just been received by the Siamese Government that many Annamite soldiers and some French officers have been killed in a fight which took place on the Mekong on the 3rd instant. Loss on the Siamese side considerable.

French officer in command, Captain Thoreux, a prisoner, but well treated.

The French Minister for Foreign Affairs had received no confirmation of this late last night. Report emanates from a Bangkok telegram to Siamese Legation here.

No. 59.

The Earl of Rosebery to Count Hatzfeldt.

M. l'Ambassadeur,

Foreign Office, May 16, 1893.

WITH reference to Count Metternich's communication of the 5th instant, stating that the Imperial Government would be glad that Her Majesty's ships in Siamese waters should extend protection to German subjects in case of need, I have the honour to inform your Excellency that a telegram has been sent by the Lords Commissioners of the Admiralty to the Naval Commander-in-chief on the China Station instructing him to take the requisite steps for that purpose.

I have, &c.
(Signed) ROSEBERY.

No. 60.

Baron d'Estournelles to the Earl of Rosebery.—(Received May 17.)

M. le Comte,

Londres, le 16 Mai, 1893.

J'AI l'honneur de vous accuser réception de la lettre que vous avez bien voulu m'adresser le 12 de ce mois relativement aux pourparlers échangés entre sa Seigneurie le Marquis de Salisbury et son Excellence M. Waddington, au sujet de la sphère respective d'influence de la France et de la Grande-Bretagne en Indo-Chine.

Je n'ai pas manqué de transmettre à M. le Ministre des Affaires Étrangères cette communication de votre Seigneurie.

Veillez, &c.
(Signé) D'ESTOURNELLES DE CONSTANT.

(Translation.)

M. le Comte,

London, May 16, 1893.

I HAVE the honour to acknowledge the receipt of the letter which you were good enough to address to me on the 12th of this month relative to the conversations between his Lordship the Marquis of Salisbury and his Excellency M. Waddington on the subject of the respective spheres of influence of France and Great Britain in Indo-China.

I did not fail to transmit that communication to the Minister for Foreign Affairs.

I have, &c.
(Signed) D'ESTOURNELLES DE CONSTANS.

The Marquis of Dufferin to the Earl of Rosebery.—(Received May 19.)

My Lord,

Paris, May 18, 1893.

WITH reference to my telegram of yesterday, I have the honour to transmit herewith to your Lordship an apparently officially inspired paragraph in the "Temps" of this evening relating to the recent events in Siam, and the questions at issue between France and that country.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 61.

Extract from the "Temps" of May 18, 1893.

INDO-CHINE.—La Légation de Siam nous communique la dépêche suivante, qu'elle vient de recevoir de Bangkok :—

"Le bruit court qu'un conflit a eu lieu, le 3 Mai, dans le voisinage du fleuve Mékong.

"Une force Franco-Annamite, ayant attaqué une tribu Laotienne, a été repoussée. Plusieurs officiers Français et beaucoup d'Annamites ont été tués.

"Le Capitaine Thoreux, commandant la colonne Française, a été capturé par les Laotiens, qui le traitent avec considération.

"La tribu Laotienne a perdu un soldat Laokou.

"On craint des troubles ultérieurs par suite de la marche en avant des troupes envoyées par M. de Lanessan.

"Les tribus qui sont en cause ont une manière toute spéciale de se battre, et elles ont la réputation d'être redoutables lorsqu'elles sont molestées."

La Légation de Siam donne les renseignements complémentaires suivants :—

"Les tribus Laotiennes, bien que nominativement sous la souveraineté du Siam, peuvent être considérées comme étant en réalité indépendantes.

"Elles jouissent de la réputation d'être extrêmement belliqueuses. On peut les assimiler aux tribus Soudanaises; le pays qu'elles habitent, couvert de forêts et rempli de marécages, rend très difficile toute action militaire contre elles.

"A la Légation de Siam, on a l'absolue conviction que le Gouvernement Siamois va, de son côté, agir pour châtier les coupables."

Il y a, on l'avouera, quelque contradiction dans ces déclarations. De deux choses l'une: ou les tribus qui ont attaqué le poste de Khong et fait prisonnier le Capitaine Thoreux sont de la dépendance effective du Siam, et alors la responsabilité du Gouvernement Siamois est en jeu; ou bien les tribus Laotiennes sont indépendantes et alors le Gouvernement Siamois n'a pas à se préoccuper des mesures de police que le Gouvernement Général de l'Indo-Chine se propose de prendre conformément aux instructions qui lui ont été envoyées de Paris.

Si le Gouvernement Siamois, comprenant les dangers que peut lui faire courir son attitude à l'égard de la France dans les affaires du Mékong, veut éviter les difficultés qui le menacent, il ne doit pas se borner à adresser au Gouvernement Français des formules de regrets: un règlement sérieux et définitif de la question des frontières est seul de nature à empêcher le retour des incidents comme ceux qui viennent de se produire à Khong, incidents qui ont naturellement des conséquences sur lesquelles la Cour de Bangkok ne peut se méprendre.

No. 62.

The Borneo Company to the Earl of Rosebery.—(Received May 22.)

My Lord,

28, Fenchurch Street, London, May 20, 1893.

I HAVE the honour to bring to your notice the following telegram from Rangoon, dated the 19th instant, which appears in the "Times" of this date :—

"A telegram received to-day from Bangkok shows that considerable anxiety prevails among the European community there. Rumours are prevalent to the effect

that the French propose to blockade Bangkok, and these have so increased the restlessness of the Chinamen, who number more than one-half of the city's population, that a rising among them is feared. The British residents urge that a gun-boat should be sent to protect them in case of emergency."

The Borneo Company (Limited), of which I am Chairman, has extensive interests in Siam, being owners of saw mills and rice mills in the town of Bangkok and lessees of extensive forests in the interior, extending to Chiangmai, on the British-Burma frontier.

Your Lordship will, therefore, understand that a telegram such as the above causes us great anxiety, and I shall be glad if you are in a position to say whether there is any foundation for these disquieting rumours, and if you can grant us any assurance that the interests of British residents in Siam will be protected in event of the French Government proceeding to extremities.

I have, &c.

(Signed) F. RICHARDSON,
Chairman of the Borneo Company (Limited).

No. 63.

The Marquis of Dufferin to the Earl of Rosebery.—(Received May 23.)

(Telegraphic.)

Paris, May 23, 1893.

M. DELCASSÉ has received telegram from M. de Lanessan, dated Hanoi, 21st May, to following effect:—

Stung-Treng is quiet, and still in telegraphic communication with us. Khone is blocked by Siamese, but has been attacked without success. No officer killed. Captain Thoreux captured by Siamese on the right bank on his way up to Khone. He is with them at Kong, and well treated; three natives killed. Have just received despatch from M. Bastard, announcing arrival of column at Stung-Treng, where complete calm prevails. All the region of Camto and Ai Lao already evacuated by Siamese, and a strong post installed at Muong Vinh. Distrust despatches from foreign sources.

No. 64.

Foreign Office to the Borneo Company.

Sir,

Foreign Office, May 25, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 20th instant, inquiring whether there is any foundation for the disquieting rumours which appeared in the "Times" telegram of the 19th instant respecting the state of affairs at Bangkok.

I am to state, in reply, that Lord Rosebery has no reason to suppose that there is any intention on the part of France to blockade Bangkok. A British gun-boat is already at that place, and such measures as are possible will be taken for the protection of British interests if the necessity should arise, but it is hoped that no occasion will occur for action of this kind.

I am, &c.

(Signed) P. CURRIE.

No. 65.

Commander-in-chief, China, to Admiralty.—(Communicated to Foreign Office, May 26.)

(Telegraphic.)

Shanghai, May 26, 1893.

FRENCH Admiral in "Triomphante," Hong Kong, "Inconstant," "Comète," "Lion," sailed from Hong Kong to the southward, probably for Bangkok.

Captain Jones to the Earl of Rosebery.—(Received May 28.)

(Telegraphic.)

Bangkok, May 28, 1893.

IT has been proposed by the French Minister, on his own responsibility, that France and Siam should be recognized as protecting Laos States. These States would, notwithstanding such recognition, continue to be under Siamese administration, subject to the French Resident's control and advice.

Captain Jones to the Earl of Rosebery.—(Received May 29.)

My Lord,

Bangkok, April 26, 1893.

I BEG leave to forward to your Lordship the accompanying copy of a letter received from the Senior Naval Officer in the Straits of Malacca, notifying to me the dispatch of Her Majesty's ship "Swift" from Singapore to this port.

As she had been sent here, it seemed to me best that she should remain for a short time, so as to reassure the local traders, whose business relations had been affected in some degree by the presence of a French gun-boat in the river. As soon, however, as the arrival of the British vessel became known, the country rice-boats resumed at once their usual traffic, which the misgivings of their owners had temporarily suspended.

I have, &c.

(Signed) HENRY M. JONES.

Inclosure in No. 67.

Captain MacLeod to Captain Jones.

Your Excellency,

"Pallas," at Singapore, April 15, 1893.

I HAVE the honour to inform you that I am sending Her Majesty's ship "Swift" to Bangkok to show the flag and visit your Excellency.

The "Swift" may be expected to arrive about the 20th instant, and as her draught of water will allow of her going up the river, I have instructed Commander Kirby to avail himself of that fact, duly complying, of course, with the term of the Treaty as to obtaining permission, if desirable, to pass Paknam Forts.

I have, &c.

(Signed) ANGUS MACLEOD,
Captain and Senior Officer, Straits of Malacca.

The Marquis of Dufferin to the Earl of Rosebery.—(Received May 30.)

My Lord,

Paris, May 28, 1893.

I HAVE the honour to transmit herewith to your Lordship the text of a telegram received by M. Delcassé from M. de Lanessan, Governor-General of Indo-China, and communicated to the press, with regard to the recent difficulties between France and Siam.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 68.

Newspaper Extract.

M. DELCASSÉ, Sous-Secrétaire d'État aux Colonies, a communiqué au Conseil des Ministres une dépêche du Gouverneur-Général de l'Indo-Chine, dont voici le texte:—

“Vo-Son, le 26 Mai, 1893.

“Khône a été débloqué le 22 par notre colonne, presque sans combat.

“Le poste avait subi plusieurs attaques. Les assaillants ont eu plusieurs tués et blessés.

“De notre côté, il y a eu seulement trois Tirailleurs blessés. Les assaillants étaient formés, en majorité, de Laotiens commandés par des Mandarins Siamois.

“M. Bastard me câble que tout est tranquille et que les mesures sont prises pour que Khône soit à l'abri d'un nouveau coup de main.”

Nous pouvons ajouter que l'œuvre de déblaiement qui assurera à l'Annam la frontière du Mékong se poursuit sans encombre du côté de Hué.

Quant aux forces véritables des Siamois, s'ils veulent se mettre en ligne, elles sont très exactement connues de notre Gouvernement et elles ne constituent aucun danger pour la sécurité de nos possessions Indo-Chinoises.

No. 69.

The Earl of Rosebery to Captain Jones.

Sir,

Foreign Office, May 31, 1893.

I HAVE received your despatch of the 26th ultimo, notifying the arrival of Her Majesty's ship “Swift” at Bangkok, and stating that you had thought it expedient to detain her for a short time in Siamese waters.

The action taken by you in this matter is approved by Her Majesty's Government.

I am, &c.
(Signed) ROSEBERY.

No. 70.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, June 4, 1893.

PRIVATE information has reached me from Paris to the effect that the Siamese have refused the demands made on them by the French Government, and that it is probable that the Siamese Minister in Paris will demand his passports.

You should urge the Siamese Government, if any opportunity occurs, to consider how extremely important it is to avoid a breach of friendly relations between the two countries.

The Siamese Government can surely have no grounds for refusing the demand made by France that they should use their best endeavours to obtain the liberation of the French officer who was taken prisoner, if it be true, as they assert, that the encounter occurred in territory over which they claim that their authority extends, and was in opposition to their wishes and instructions.

No. 71.

Consul Tremlett to the Earl of Rosebery.—(Received June 5.)

My Lord,

Saigon, May 6, 1893.

I HAVE the honour to inclose an extract from a Saigon newspaper concerning further movements in the Mekong Valley.

I have, &c.
(Signed) CHAS. F. TREMLETT.

Inclosure in No. 71.

*Extract from the "Progrès de Saïgon" of May 3, 1893.**Gouverneur-Général à Lieutenant-Gouverneur, Saïgon.**Hué, le 2 Mai, 1893.*

M. DU FRÉNIL, Vice-Résident, que j'ai chargé à mon arrivée à Hué de diriger l'action Française dans la région Laotienne située entre Ailao et le Mékong, m'informe par télégramme daté du 29 Avril qu'il vient d'occuper le poste Siamois de Hosang, le plus avancé de la région. Le Mandarin Siamois commandant le poste n'a fait aucune tentative de résistance. Il a évacué les bâtiments du poste qui ont été aussitôt rendus aux habitants sédentaires enchantés de notre venue. Le Mandarin Siamois marche actuellement avec ses hommes à la suite de M. du Frénil et sous sa surveillance vers les autres postes. Il a été convenu que les Siamois se retireraient ainsi par la route de Muong Pinh au Mékong. L'évacuation sans coup férir peut donc être considérée comme certaine pour toute la contrée. A Muong Pinh, qui est le principal centre, M. du Frénil doit installer un poste administratif; d'après mes instructions il poussera jusqu'au Mékong et s'occupera dès que la saison le permettra d'ouvrir une route entre Muong Pinh et Cam-lo.

M. Luce, Résident de Vinh, est parti, après avoir pris à Hué mes instructions pour accomplir dans la région du Cammon et du Trandung la même mission que M. du Frénil dans la région de Cam-lo et Ailao. Tous les territoires de la rive gauche à l'ouest de l'Annam seront ainsi dégagés. Le Gouvernement Annamite a envoyé aux habitants de ces territoires une Proclamation conçue en excellents termes en les engageant à se montrer dévoués à la France. M. du Frénil signale, d'ailleurs, dans la région, comme M. Bastard dans la région de Khône et Stung-treng, l'accueil enthousiaste et le concours absolu qu'il rencontre chez les habitants.

No. 72.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, June 5, 1893.

INFORMATION has reached Her Majesty's Government that the French Admiral left Hong Kong on the 26th ultimo with five ships, sailing south, probably for Siamese waters.

You should use your influence to restrain the Siamese Government from taking any measures likely to bring the dispute with France to a crisis. We are doing what is in our power here to urge upon them the necessity of moderation.

No. 73.

Captain Jones to the Earl of Rosebery.—(Received June 5.)

(Telegraphic.)

Bangkok, June 5, 1893.

YOUR Lordship's telegram of yesterday.

Siamese Government consider that the capture of the French officer referred to was justified by the circumstances. He committed an act of war, being in command of a hostile and aggressive expedition upon Siamese territory. They are willing to set him at liberty as an act of courtesy towards the French Government, with whom they do not wish to quarrel, but it is not true that they have ever expressed regret at his being taken prisoner. The alleged regrets and apologies on the part of the Siamese Government appear to be inventions made for the purposes of the newspapers in Paris.

No. 74.

The Marquis of Dufferin to the Earl of Rosebery.—(Received June 7.)

My Lord,

Paris, June 5, 1893.

I HAVE the honour to transmit herewith to your Lordship a further telegram from the French Resident in Tonquin respecting recent events on the Mekong River.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 74.

M. de Lanessan to M. Delcassé.

(Télégraphique.)

LE 29 Mai, le poste de Cam-Mon a été évacué par les Siamois, après sommation du Résident Luce.

Les Siamois sont reconduits au Mékong.

Le poste de Cam-Mon était le plus important de ceux où les Siamois s'étaient installés dans l'Annam septentrional.

Stung-treng et Khône sont maintenant très solidement occupés.

Je fais procéder depuis un mois à la levée de nouvelles milices Cambodgiennes.

(Translation.)

ON the 29th May, the post of Cam-Mon was evacuated by the Siamese at the summons of Resident Luce.

The Siamese have been escorted back to the Mekong.

Cam-Mon was the most important of the posts in Northern Annam occupied by the Siamese.

Stung-Treng and Khône are now very strongly occupied.

During the last month I have been taking steps for the levy of fresh forces of Cambodian militia.

No. 75.

Captain Jones to the Earl of Rosebery.—(Received June 7.)

(Telegraphic.)

Bangkok, June 7, 1893.

YOUR Lordship's telegram of the 5th instant.

It is most difficult for the Siamese Government to decide what action they should take. They have, however, shown no lack of moderation, and they are certainly not disposed to provoke a rupture of relations with the French Government.

No. 76.

Consul Tremlett to the Earl of Rosebery.—(Received June 13.)

My Lord,

Saigon, May 12, 1893.

I HAVE the honour to confirm my telegram of this morning, that there has been an engagement between the French and Siamese troops on the frontier. One officer and some men have been killed on the French side, and 1,000 troops, European and native, have just left Saigon for the scene of action.

I have, &c.

(Signed) CHAS. TREMLETT.

No. 77.

The Marquis of Dufferin to the Earl of Rosebery.—(Received June 16.)

My Lord,

Paris, June 15, 1893.

I HAVE the honour to transmit herewith to your Lordship a telegram giving further information respecting events in Siam.

I have, &c.

(Signed)

DUFFERIN AND AVA.

Inclosure in No. 77.

M. de Lanessan to M. Delcassé.

(Télégraphique.)

Do-Son, 13 Juin.

J'APPRENDs à l'instant par le Résident Luce que tous les postes occupés par les Siamois dans les territoires situés entre Cam-Mon, Houtène, et Nong-Ray sont évacués. Toute cette région est libre et les Siamois ont repassé le Mékong.

(Translation.)

"Do-Son, June 13.

I HAVE just been informed by Resident Luce that all the posts occupied by the Siamese in the territory situated between Cam-Mon, Houtène, and Nong-Ray have been evacuated. All that district is clear, and the Siamese have recrossed the Mekong.

No. 78.

The Marquis of Dufferin to the Earl of Rosebery.—(Received June 17, 3 P.M.)

(Telegraphic.)

Paris, June 17, 1893, 12:50 P.M.

FOLLOWING appeared in this morning's press from the Governor-General of French Indo-China:—

"Do-Son, 15 Juin, 6:20 soir.

"Je vous signale une trahison dont s'est rendu coupable le Mandarin Siamois qui occupait le poste de Cam-Mon. Sur l'injonction du Résident Luce il avait remis ses fusils et regagnait le Mékong, reconduit par l'Inspecteur de la Milice Groscurin, qui le protégeait contre la vengeance des habitants, s'en remettant aux deux Gouvernements du soin de régler la question. Arrivés à King Kien l'Inspecteur Groscurin étant tombé malade, le Mandarin a fait venir d'Houtène, sur la rive droite du Mékong, une bande de Siamois armés qui ont cerné la maison de l'Inspecteur et massacré les quatorze miliciens de son escorte. Lui-même d'un coup de revolver a assassiné dans son lit l'Inspecteur qui y était cloué par la maladie."

(Translation.)

"Do-Son, June 15, 6:20 P.M.

I HAVE to report an act of treachery committed by the Siamese Mandarin occupying the post of Cam-Mon. In compliance with the orders of Resident Luce he had given up his guns and was on his way back to the Mekong, escorted by M. Groscurin, Inspector of Militia, who was protecting him against the vengeance of the inhabitants, leaving the settlement of the question to the two Governments. On arrival at King Kien, Inspector Groscurin fell ill, and the Mandarin sent for a band of armed Siamese from Houtène, on the right bank of the Mekong, who surrounded the Inspector's house and massacred the fourteen militiamen of his escort. The Mandarin himself with a shot from a revolver assassinated the Inspector in his bed, to which he was confined by his illness.

No. 79.

The Marquis of Dufferin to the Earl of Rosebery.—(Received June 17.)

(Telegraphic.)

Paris, June 17, 1893.

IT is announced in this evening's papers that telegraphic instructions to sail to Bangkok, and support French Consul-General's demand for reparation, have been sent to the French Admiral in command of Naval Division at present at Saigon.

No. 80.

The Marquis of Dufferin to the Earl of Rosebery.—(Received June 18.)

(Telegraphic.)

Paris, June 17, 1893.

DISPATCH of French fleet to Bangkok, as reported in this afternoon's papers, is declared by Government not to be true.

Her Majesty's Government will be informed should further action, on account of the recent murder of a French citizen, be necessary.

The fleet will be, for the present, concentrated near Cochin China.

No. 81.

The Marquis of Dufferin to the Earl of Rosebery.—(Received June 19.)

(Telegraphic.)

Paris, June 19, 1893.

GOVERNOR-GENERAL of French Indo-China telegraphs that the Island of Samit was occupied on the 13th instant.

No. 82.

Captain Jones to the Earl of Rosebery.—(Received June 19.)

(Telegraphic.)

Bangkok, June, 19 1893.

WITH reference to the reported massacre of M. Grosgrurin, a French officer, with fourteen Annamites at Kammuen, M. Pavie now demands satisfaction from the Siamese Government. The latter are willing to make reparation if the French account of the incident is confirmed, but it rests solely upon the statements of three Annamites who are said to have escaped and the particulars which they give are improbable in many respects. It is impossible to get any news of what really happened in less than a fortnight.

No. 83.

Captain Jones to the Earl of Rosebery.—(Received June 19.)

(Telegraphic.)

Bangkok, June 19, 1893.

THE proposal of the Siamese Government to send a Special Mission to Paris has been refused by the French Government, who insist that certain personal claims at Bangkok should first be settled. The Siamese Government have replied that they do not wish to ask for any favour, but merely to obtain a conciliatory solution of all points of dispute between the two countries. They cannot separate these.

No. 84.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, June 19, 1893.

THE French Chargé d'Affaires informed me to-day that he had written to his Government, pointing out the conciliatory nature of my reply to Lord Lamington's question in the House of Lords respecting Siam,

I observed, in reply, that I had held aloof most carefully from any contact with the question. I appreciated the difficulties which the French Government had to meet, and, bearing them in mind, would certainly consider as confidential the assurance that we should be informed were any new movement of the French fleet intended. All this showed the friendly disposition I desired to evince, for Her Majesty's Government hoped not to be drawn into the question at all. But, of course, our interests in that region were great, and I might, against my will, be obliged to intervene.

I have, &c.
(Signed) ROSEBERY.

No. 85.

The Marquis of Dufferin to the Earl of Rosebery.—(Received June 20.)

My Lord,

Paris, June 19, 1893.

I HAVE the honour to transmit herewith to your Lordship a telegram, communicated to the press, reporting the occupation by the French of the Island of Samit, in the Gulf of Siam.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 85.

Newspaper Extract.

M. DELCASSÉ, Sous-Secrétaire d'État aux Colonies, vient de recevoir de M. de Lanessan la dépêche suivante :—

“Do-Son, 18 Juin, 7 heures du matin.—Nous avons occupé le 13 Juin l'île Samit.”

On se souvient qu'il fut récemment question de cette île à propos des derniers événements de Siam. Elle est constituée par des roches arides dont les dimensions sont si exiguës, que plusieurs de nos confrères, ayant constaté qu'elle n'était pas marquée sur les cartes courantes, s'étaient crus obligés d'en nier l'existence.

L'île Samit est considérée par nos marins comme un point stratégique des plus importants pour la défense du Golfe de Siam.

(Translation.)

M. DELCASSÉ, Under-Secretary of State for the Colonies, has received the following telegram from M. de Lanessan :—

“Do-Son, June 18, 7 A.M.

“We occupied the Island of Samit on 13th June.”

It will be remembered that this island was lately mentioned in connection with recent events in Siam. It consists of barren rocks of such minute dimensions that several of our contemporaries, finding that the island was not marked on the maps now in use, felt obliged to deny its existence.

The Island of Samit is looked upon by our naval men as a point of the greatest strategic importance for the defence of the Gulf of Siam.

No. 86.

The Marquis of Dufferin to the Earl of Rosebery.—(Received June 20.)

My Lord,

Paris, June 19, 1893.

DURING the course of a visit I paid to M. Develle to-day, I touched upon the subject of the occupation of the Island of Samit, reported in the French press. He said that the island belonged to Cambodia, though from an observation he subsequently made, he seemed to admit that this might be a point open to discussion. He again repeated his assurance that there was no intention of sending the French fleet to Bangkok. It had been ordered to concentrate off Saigon, in view of late

events in Siam, and especially of the recent murder of a French official by the Siamese. The French Government intended to insist upon reparation for that outrage, as well as upon satisfaction in reference to their other subjects of complaint. Under similar circumstances the English Government would not have hesitated for a moment to display equal energy. If, however, the required reparation were refused, it would be necessary to consider what further steps remained to be taken; but even in this contingency I did not understand his Excellency to imply that an advance upon Bangkok was in his mind.

I had already received, through Mr. Phipps, an assurance from the French Foreign Office authorities that any further movements of the French fleet would be communicated to this Embassy or to London.

I have, &c.
(Signed) DUFFERIN AND AVA.

No. 87.

Messrs. Wallace Brothers to the Earl of Rosebery.—(Received June 20.)

My Lord,

8, Austin Friars, June 19, 1893.

WE are agents for the Bombay Burmah Trading Corporation (Limited), which is largely interested in the teak foresting business in Siam, as well as in Burmah, in connection with which it employs a large staff of British subjects at Bangkok, where it has a saw-mill, and elsewhere in Siam, these British subjects being English and natives, Burmans and Indians.

We are also largely interested as shareholders in the Arracan Company (Limited), which has rice-mills at Bangkok, in connection with which it similarly employs a staff of British subjects.

We have the honour of calling your Lordship's attention to the necessity of protecting the lives and property of British subjects in the event—which seems probable from this morning's telegrams—of the French sending a squadron to Bangkok. In this connection we have the honour to inclose extract of a letter, dated the 19th May last, from Mr. G. P. Glendinning, Chief Manager of the Bombay Burmah Trading Corporation (Limited), to our partner, Mr. J. Annan Bryce.

Mr. Bryce, who himself knows Siam personally, believes that the apprehension of a rising is well founded.

Your Lordship is, no doubt, aware that there are in Bangkok a large number of British subjects and a large amount of British property, the British trade both in exports and imports being greatly larger than any other nation's. Almost all the great British Fire Insurance Companies are represented, and have taken large risks there—for several of the most important, among them the London Assurance, the North British and Mercantile, and Sun Offices, our friends above mentioned are agents; and it is needless to point out the loss that would be sustained by these Insurance Companies in the event of an *émeute*.

We trust your Lordship will see your way to take the steps necessary to protect the numerous British lives and important British interests.

We have, &c.
(Signed) WALLACE BROTHERS.

Inclosure in No. 87.

Mr. Glendinning to Mr. Bryce.

(Extract.)

May 19, 1893.

FRANCE AND SIAM.—It is feared that if France blockades Bangkok the Chinese may rise. Of course, there are lots of Chinese in Bangkok—half the population, I suppose—and it is quite conceivable that if the Siamese Government were in serious difficulty, the rowdies would try to take advantage of it to, perhaps, loot the town, and Europeans might be in danger.

No. 88.

Admiralty to Foreign Office.—(Received June 21.)

(Extract.)

Admiralty, June 19, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, extracts from a letter from the Commander-in-chief on the China Station, dated the 8th May, respecting the state of affairs in Siam.

Inclosure in No. 88.

Vice-Admiral Sir E. Fremantle to Admiralty.

(Extract.)

May 8, 1893.

FROM the "Swift," at Bangkok, I have reports of the state of affairs in Siam, where there is considerable excitement in consequence of the French demands and their action in seizing Stung Treng and Khone, on the left bank of the Mekong River.

The presence of the "Swift" has reassured the European inhabitants, and has tended to quiet the apprehensions of riot in the capital.

No. 89.

Captain Jones to the Earl of Rosebery.—(Received June 22.)

(Telegraphic.)

Bangkok, June 22, 1893.

THE armed reconnaissances of the French have been carried to Kammuon in latitude 18° 10' not far from the Mekong, and Namnao, in latitude 16° 30'. They appear to have hitherto met with no serious resistance, and their total force amounts to about 1,600 men. A collision is not unlikely to result from the dispatch of reinforcements from Saigon to the front.

No. 90.

Messrs. Wallace Brothers to the Earl of Rosebery.—(Received June 23.)

My Lord,

8, Austin Friars, London, June 22, 1893.

REFERRING to our letter of the 19th instant, we have the honour to inclose translation of a telegram received to-day from Bangkok.

Your Lordship will observe that internal troubles have already arisen, though the French fleet has not yet appeared, and it may be feared that once existing they may take a serious form, even if the French make no attack.

The seizure of the Island of Samit has no doubt produced an unfortunate effect.

Your Lordship is aware what difficulties Oriental Governments, owing to defective organization, find in coping rapidly with popular disturbances. Before the Government can act, even when it is substantially strong, much life and property may be destroyed.

There can, we conceive, be little doubt that the presence at Bangkok of several British men-of-war, ready to land a force of blue-jackets if necessary, would be of great assistance in overawing the turbulent elements in the city.

We have, &c.

(Signed)

WALLACE BROTHERS.

Inclosure in No. 90.

Translation of Telegram, dated Bangkok, June 22, 1893.

TROUBLES. Position critical. Prospects bad. Have reason to expect closing port in a short time. Every prospect of French Government attacking Bangkok.

For your private information only.

No. 91.

Captain Jones to the Earl of Rosebery.—(Received June 23.)

(Telegraphic.)

Bangkok, June 23, 1893.

THE Siamese Government have been warned by the French Government that the French fleet has been ordered to proceed to Saigon, and that should the situation demand it, the fleet may be sent to Bangkok.

It is the intention of the Siamese to block the channel of the Menam River, and to defend the entrance as far as their powers permit them to do so.

No. 92.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, June 24, 1893.

IF it should become necessary to take steps for the protection of the lives and property of British subjects, or if a Chinese rising should have to be dealt with, I presume the two British men-of-war now at Bangkok would be sufficient for the purpose.

No. 93.

Mr. Phipps to the Earl of Rosebery.—(Received June 26, 1.40 P.M.)

(Telegraphic.)

Paris, June 26, 1893, 12.30 P.M.

FOLLOWING summary of telegram published to-day from Governor-General of French Indo-China:—

“We proceeded on the 17th and 18th June to the occupation of the Islands Rong and Rong Salem, the latter being of special importance as protecting an excellent anchorage. On the 15th June a Siamese gun-boat approached the Island of Samit, and a party endeavouring to land in face of the warnings of the French post were fired upon and retired.”

No. 94.

Captain Jones to the Earl of Rosebery.—(Received June 26.)

(Telegraphic.)

Bangkok, June 26, 1893.

WITH reference to your Lordship's telegram of the 24th instant, I beg to state that there is now only one British man-of-war at Bangkok. The other ship left some time ago. I consider that it would be expedient to station a second ship at the mouth of the Menam in view of possible emergencies.

I would also suggest that the United States, Portugal, and the Netherlands might be asked through their Representatives in London to send ships for the protection of the foreign Residents.

No. 95.

Captain Jones to the Earl of Rosebery.—(Received June 27.)

(Extract.)

Bangkok, May 24, 1893.

I HAVE the honour to acquaint your Lordship with the following details in connection with the recent events which have occurred in the districts to the east of the Mekong. As the communication between these provinces and the capital are imperfect and irregular, they are somewhat disjointed, and much of the information I have learnt from Her Majesty's Consul at Saigon and the French journals there.

About the time when the French in the south were moving on Stung-Treng and the Island of Khone in the Mekong, M. Lanessan, the Governor-General, who was then at Hué in Annam, telegraphed to his Vice-Gérant at Saigon to the effect that he had already

dispatched 400 troops across the mountains to compel the Siamese to evacuate the positions they persisted in occupying on alleged Annamite territory. The garrison of the nearest post—consisting, it appears, of about forty men under a Siamese officer, without instructions or knowledge of the changed relations between the two States—evacuated the post and retired on the Mekong, and M. Lanessan, encouraged by this success, expressed his belief that he would succeed in annexing the whole of the territory in dispute without firing a shot.

When the French advanced on Stung-Treng, the Siamese force there numbered about fourteen men (there was no garrison in the Island of Khone), which withdrew to the northward, and at once notified to the Siamese Governor at Bassac the intelligence of the French encroachments, who forthwith dispatched the force at hand—about 800 men—to drive the French out of the island.

The Siamese seem to have attacked the French on the 5th May, and, according to their statement, they first summoned them to retire, but were received with a volley, to which they replied, killing, at least, one officer and several men (Annamese). The exact list of casualties we do not yet know. The Siamese say that of their men three only were killed or wounded. Rumours from Saigon report the French losses as serious, but no details are given. The situation was considered serious enough, however, to warrant the dispatch of reinforcements from Cambodia to the number of 1,000 men, of whom half are said to be Europeans.

Our Consul, writing from Saigon, states there was a general impression there that Stung-Treng had been reoccupied by the Siamese, but nothing of this is known here.

M. Pavie affected absolute ignorance of all these matters, and begged the Siamese Ministers to inform him of what they knew respecting the affair.

It appears that the same party of Siamese engaged at Khone, reconnoitring lower down the river, surprised a party of coolies, under a French officer, Captain Thoreau, conveying stores to the garrison at Khone. The coolies at once abandoned their loads, which fell into the hands of the Siamese, along with the person of the officer, who is now prisoner at Bassac.

M. Lanessan, in his despatch above referred to, likewise mentioned his intention of sending several armed parties throughout the districts on the east of the Mekong, with the object of driving out the Siamese, and announcing to the natives their new status.

Another French gun-boat is expected here from Japan, and the French press affect to believe that the entire fleet will follow shortly after. The Siamese continue to strengthen their works at the mouth of the Menam, and are expecting the arrival daily of some cargoes of arms and ammunition. Events have followed on one another so rapidly here of late as to leave them little or no time for preparation, and it is believed that the stock of ammunition for the heavy ordnance is very inadequate.

No. 96.

Mr. Phipps to the Earl of Rosebery.—(Received June 27.)

My Lord,

Paris, June 26, 1893.

I HAVE the honour to transmit herewith to your Lordship the text of a telegram, published this day, reporting the occupation by the French of the Islands of Rong and Rong-Salem, in the Bay of Kompong-Som.

I have, &c.

(Signed) E. C. H. PHIPPS.

Inclosure in No. 96.

Newspaper Extract.

M. DELCASSÉ vient de recevoir du Gouverneur-Général de l'Indo-Chine la dépêche suivante :—

“Do-Son, le 24 Juin, 1893.

“Nous avons procédé, les 17 et 18 Juin, à l'occupation des Iles Rong et Rong-Salem, toutes deux très importantes, mais particulièrement la dernière, parce qu'elles défendent une baie qui constitue un excellent mouillage.

“L'opération s'est effectuée sans incident. Le 15 Juin, une canonnière Siamoise s'est approchée de l'Ile Samit, que nous avions occupée deux jours auparavant. Sans

s'arrêter, elle a dirigé vers l'île un canot avec six hommes. Notre poste, après l'avoir inutilement invitée à ne pas avancer, a tiré enfin sur l'embarcation, qui s'est alors décidée à regagner la terre."

Les Iles Rong et Rong-Salem sont situées toutes deux sans la baie de Kompong-Som, le seul mouillage important que puisse trouver notre division navale sur toute la côte Cambodgienne. L'unique port qu'elle renferme, en effet, Kampot, n'est accessible qu'aux jonques Annamites ou Siamois.

L'Île de Rong-Salem est dotée en outre elle-même d'une baie spacieuse.

Si l'Île Samit, qui commande la pointe du même nom, constitue un excellent poste d'observation sur le Golfe de Siam, les deux îles qui viennent d'être occupées nous assurent la possession incontestée de la baie de Kompong-Som. Les Siamois, on l'a vu, s'ils n'avaient été devancés, ne se seraient point fait faute d'occuper ces différents points.

No. 97.

Borneo Company to the Earl of Rosebery.—(Received June 27.)

My Lord,

28, Fenchurch Street, London, June 26, 1893.

WE have the honour to bring to your Lordship's notice the telegram which appears in the "Times" to-day, as follows:—

"Rangoon, June 25.

"A telegram from Bangkok states that the Consul has advised British subjects there that a blockade is probable. The Chinese are accordingly laying in a fortnight's supply of rice."

This message seems to us to confirm a telegram we received from our Manager in Bangkok, dated the 22nd June, in which he says:—

"Have reason to expect closing of port in a short time. Every prospect of French attacking Bangkok."

These ominous telegrams are further supported by the message from the Governor-General of Indo-China to the French Cabinet, announcing the occupation of two islands in the Gulf of Siam which command the entrance to the gulf.

We need hardly point out to your Lordship that these menacing movements on the part of the French must have a seriously disturbing effect on the trade of Bangkok, and as three-fourths of that trade are in the hands of British subjects, we would respectfully urge on your Lordship the necessity for taking measures that may lead to a speedy and amicable settlement of the differences existing between the French and Siamese Governments.

It is in our opinion extremely probable that any hostile measures, such as a blockade of the port of Bangkok, would give rise to rioting on the part of the lower classes of the Chinese population, gravely endangering the lives and property of foreign residents.

We have, &c.

For Borneo Company (Limited),

(Signed) F. RICHARDSON, *Chairman.*

No. 98.

Borneo Company to the Earl of Rosebery.—(Received June 27.)

My Lord,

28, Fenchurch Street, London, June 26, 1893.

SINCE writing the inclosed letter we have received the following telegram from our Manager in Bangkok, dated to-day, which we forward for your Lordship's information:—

"Siamese Government have begun closing river mouth, with the exception of, for the present, a narrow opening. 10,000 men have arrived in Bangkok from the paddy-fields."

We have, &c.

For Borneo Company (Limited),

(Signed) F. RICHARDSON, *Chairman.*

No. 99.

Foreign Office to Admiralty.

Sir, *Foreign Office, June 27, 1893.*
 I AM directed by the Earl of Rosebery to transmit to you herewith the paraphrase of a telegram which has been received from Captain Jones,* in reply to an inquiry as to whether the two British ships, which were believed to be at Bangkok, would be sufficient for protecting British subjects and for suppressing a Chinese rising in case of need.

The Lords of the Admiralty will observe from the inclosed message that only one man-of-war has remained at Bangkok.

Lord Rosebery would therefore suggest that Her Majesty's ships "Pallas" and "Pigmy," which are understood to be lying at Singapore, should both be dispatched to Bangkok as soon as possible.

I am, &c.
 (Signed) P. CURRIE.

No. 100.

Foreign Office to Messrs. Wallace Brothers.

Gentlemen, *Foreign Office, June 27, 1893.*
 THE Earl of Rosebery has received your letters of the 19th and 22nd instant, in which attention is called to the position of affairs at Bangkok, and it is suggested that British ships should be sent there to assist in maintaining order.

I am directed by his Lordship to inform you, in reply, that Her Majesty's Minister in Siam is in frequent communication with this Office, and that if he considered that the situation at Bangkok was critical, he would, no doubt, report to that effect by telegraph. I am to add that a British man-of-war is at present stationed in the Bangkok River for the protection of the lives and property of British subjects in case of emergency, and that that vessel is about to be reinforced.

I am, &c.
 (Signed) P. CURRIE.

No. 101.

Mr. Phipps to the Earl of Rosebery.—(Received June 28.)

My Lord, *Paris, June 27, 1893.*
 I HAVE the honour to transmit herewith to your Lordship the text of a telegram, published this day, from the Governor-General of French Indo-China respecting the recent murder of Inspector Groscurin and his escort in Siam.

I have, &c.
 (Signed) E. C. H. PHIPPS.

Inclosure in No. 101.

Newspaper Extract.

M. DELCASSÉ vient de recevoir de M. de Lanessan le télégramme suivant, qui confirme la trahison de Kenkiec, et fait connaître les circonstances dans lesquelles elle s'est produite :—

"Haiphong, le 25 Juin, 1893.

"Le Résident Luce vient d'arriver. Il m'a confirmé tous les renseignements et toutes les appréciations que je vous avais télégraphiés d'après lui relativement à l'assassinat de l'Inspecteur Groscurin et au massacre de son escorte. Voici comment les faits se sont passés :—

"En abandonnant son poste de Cammon, le Mandarin Siamois remit à M. Luce une lettre où il disait en substance :—

"Puisque je suis obligé de quitter ce poste, je vous le remets ainsi que tout son

territoire, et, plus tard, nos deux Gouvernements décideront, d'après les cartes, à qui doit appartenir le pays.'

"M. Luce fit réunir lui-même les éléphants nécessaires pour transporter le Mandarin Siamois et ses bagages, et annonça à ce dernier qu'il lui donnerait une escorte de vingt hommes, commandée par l'Inspecteur Groscurin, pour le protéger contre la vengeance des habitants, dont il était détesté.

"Pendant les deux premiers jours de la route, la conduite du Mandarin Siamois fut convenable, mais l'Inspecteur Groscurin ayant été obligé de s'arrêter et de s'aliter, en proie à un accès pernicieux très grave, le Mandarin commença à menacer les habitants de représailles, et écrivit ensuite au Gouverneur Siamois d'Houtène, sur la rive droite du Mékong, le pressant de venir avec tout son monde à Kenkiec pour le délivrer.

"Quelque temps après, l'Inspecteur Groscurin étant toujours malade dans une paillotte Laotienne, une troupe de 200 Siamois armés arriva d'Houtène. Le Mandarin Siamois, suivi de trois officiers de cette troupe, demanda à Groscurin un entretien. Les miliciens de l'escorte voulurent prendre leurs armes, mais Groscurin le leur défendit, disant que les Siamois venaient non pour se battre, mais pour s'entretenir avec lui.

"Cependant, à peine entré, et après avoir adressé quelques mots à Groscurin, le Mandarin, dirigeant son revolver sur ce dernier, le tua d'un coup à la tête.

"En entendant le coup de revolver, ce qui était sans doute le signal convenu, les Siamois se jetèrent sur les armes des miliciens, et en assassinèrent dix-sept, les trois autres, ayant pu s'échapper et regagner le poste Français, à Cammon, où ils ont rapporté ces détails, qui concordent pleinement d'ailleurs, avec le récit fait par les habitants."

(Translation.)

M. DELCASSE has received the following telegram from M. de Lanessan, which confirms the treachery at Kenkien, and shows the circumstances under which it took place :—

"Haiphong, June 25, 1893.

"Resident Luce has just arrived. He confirmed to me all the information and the views which I had telegraphed to you according to his reports relative to the murder of Inspector Groscurin and the massacre of his escort. This is what happened :—

"When abandoning his post at Cammon the Siamese Mandarin handed a letter to M. Luce, of which the following is the substance :—

"'As I am obliged to leave this post, I hand it over to you, with all its territory, and our Governments will decide, later on, according to the maps, to whom the country should belong.'

"M. Luce himself got together the elephants required for conveying the Siamese Mandarin and his baggage, and announced to him that he would give him an escort of twenty men, commanded by Inspector Groscurin, to protect him from the vengeance of the inhabitants, by whom he was detested.

"For the first two days of the journey the Siamese Mandarin behaved well, but Inspector Groscurin, having been obliged to stop and take to his bed, owing to a very serious and pernicious attack, the Mandarin began to threaten the inhabitants with reprisals, and then wrote to the Siamese Governor of Houtène, on the right bank of the Mekong, pressing him to come to Kenkien with all his people to rescue him.

"Some time afterwards, Inspector Groscurin being still ill in a Laotian hut, a force of 200 armed Siamese arrived from Houtène. The Siamese Mandarin, followed by three officers of this force, asked Groscurin for an interview. The militiamen in the escort wanted to use their arms, but Groscurin forbade them, saying that the Siamese were not coming to fight but to converse with him.

"Nevertheless, no sooner had the Mandarin come in and addressed a few words to Groscurin than he aimed a revolver at the latter, shot him in the head, and killed him.

"Hearing the report of the revolver, which was no doubt the signal agreed upon, the Siamese made a rush for the arms of the militiamen and murdered seventeen of them; the three others succeeded in escaping, and reached the French post at Cammon, where they reported these details, which, moreover, fully agree with the account given by the inhabitants."

The Earl of Rosebery to Mr. Phipps.

Sir,

Foreign Office, June 28, 1893.

IN reply to an inquiry which I addressed to him, the French Chargé d'Affaires informed me to-day that he had no recent news from Siam.

I observed that we were naturally interested in the affairs of that country, as being those of a neighbouring kingdom in which we had large interests. The Siamese were unable to tell us what were the demands of the French Government and what were the wrongs the French Government alleged. Therefore, though I did not wish to mix myself up with the affair at this stage, I was naturally anxious to have some information.

M. d'Estournelles said he thought ample assurances had been given by M. Develle to Lord Dufferin, and that it had always been stated that there was no idea of any attack on the neutrality or independence of the Kingdom of Siam.

He then dwelt at some length—but speaking, as he said, personally—on the attempts that had been made by the French Government to come to an understanding with Her Majesty's Government for the establishment of the Upper Mekong as the dividing line between British and French interests. On this point our discussion was purely academic; but I took occasion to repeat that we had not intervened between France and Siam, hoping that matters would not proceed so far as to demand our intervention in any shape or form.

I have, &c.

(Signed) ROSEBERY.

No. 103.

Admiralty to Foreign Office.—(Received June 29.)

Sir,

Admiralty, June 28, 1893.

IN reply to your letter of the 27th instant, suggesting that Her Majesty's ships "Pallas" and "Pigmy" should both be dispatched to Bangkok as soon as possible for protecting British subjects in case of need, I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Secretary of State for Foreign Affairs that, in view of the fact that if the ships to be sent are named, the Commander-in-chief is hampered in relieving them and carrying out the general work of the station, repairs, &c., their Lordships have caused a telegram to be sent directing him to send another ship immediately to Bangkok, and to hold a third in readiness to proceed there, observing that two ships, or perhaps three, may have to be kept there during the troubles.

I am, &c.

(Signed) EVAN MACGREGOR.

No. 104.

Borneo Company to the Earl of Rosebery.—(Received June 29.)

My Lord,

28, Fenchurch Street, London, June 29, 1893.

WE have the honour to hand you the following telegram just received from our Manager in Bangkok, which it is very satisfactory to us to see is of so reassuring a nature:—

"Prospects are encouraging. French Government is disposed to come to an amicable arrangement."

We have, &c.

For Borneo Company (Limited),

(Signed) F. RICHARDSON, *Chairman.*

No. 105.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, June 29, 1893.

I REFERRED your telegram of the 26th June to the Admiralty.

Instructions have been sent to Admiral Fremantle to dispatch another ship to Bangkok, and to be ready to provide a third one if needed.

No. 106.

Mr. Phipps to the Earl of Rosebery.—(Received June 29.)

(Telegraphic.)

Paris, June 29, 1893.

M. DEVELLE, whilst making casual reference to a report that British sailors were instructing the Siamese in torpedo practice, repeated the assurances which he had already given, that no active steps will be taken at Bangkok without previous information being given to Her Majesty's Government.

He also expressed his satisfaction at the language employed by your Lordship yesterday in the House of Lords.

No. 107.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, June 29, 1893.

IS there any truth in the report which has reached the French Foreign Office that Siamese are receiving instruction in torpedo practice from British sailors?

No. 108.

The Earl of Rosebery to Mr. Phipps.

(Telegraphic.)

Foreign Office, June 29, 1893.

I WILL make inquiry as to the report mentioned by M. Develle, and referred to in your telegram of to-day, that instruction in torpedo practice is being given to the Siamese by British sailors.

No information has reached me that anything of the sort is being done, but it is possible that there may be some British subjects employed in the Siamese navy.

No. 109.

The Earl of Rosebery to Mr. Phipps.

(Telegraphic.)

Foreign Office, June 29, 1893.

LORD DUFFERIN'S despatch of 19th instant.

It might be well that you should remind the French Foreign Office of M. Develle's promise that we should be informed beforehand of any further movements of the French squadron which has been ordered to Saigon. According to the newspapers the fleet are advancing in the direction of Bangkok.

No. 110.

Mr. Clarke to Foreign Office.—(Received June 30.)

Sir,

35, Wemyss Road, Blackheath, June 29, 1892.

I HAVE the honour to bring to the notice of Her Majesty's Government the serious interference with the trade of Siam which is being caused by the present attitude

of France towards that country, and the grave probability that the course of events is leading up to the annexation of the whole kingdom.

According to the latest news from Bangkok the gravest fears are entertained there that active operations against the capital are contemplated. Produce is being held back by the natives in consequence, and vessels chartered to load at the port are being detained for want of cargo, to the great loss of the merchants of the place.

The action of France towards Siam is one of pure aggression, in total defiance of all Siamese rights, and the only inference that can be drawn from it is that annexation is intended.

As a resident of many years in Siam, and having considerable property as well as an established business there, I beg that the position of British merchants like myself in Bangkok may receive consideration at the hands of Her Majesty's Government, and that their interests as well as those of British trade generally in Siam, may not be overlooked at the present crisis.

I have, &c.
(Signed) F. SYDENHAM CLARKE.

No. 111.

Mr. Phipps to the Earl of Rosebery.—(Received June 30.)

(Telegraphic.)

Paris, June 30, 1893.

M. DEVELLE informs me that no notice should be taken of apparent "communications" in the press on Siamese matters. None such have been authorized by him.

France, his Excellency declares solemnly, has no intention of interfering with Siamese integrity, but release of Captain Thoreux, which was promised five weeks ago, must be obtained, as also redress for two separate acts of abuse.

M. Develle fears lest Siamese may be encouraged in their resistance to French claims by the language used by Sir Edward Grey yesterday in the House of Commons.

No. 112.

Captain Jones to the Earl of Rosebery.—(Received June 30.)

(Telegraphic.)

Bangkok, June 30, 1893.

I HAVE the honour to state that there is absolutely no truth in the report mentioned in your Lordship's telegram of yesterday that British sailors are giving instruction to the Siamese in torpedo practice.

No. 113.

The Earl of Rosebery to Mr. Phipps.

(Telegraphic.)

Foreign Office, June 30, 1893.

YOUR telegram of yesterday.

I have received a telegram from Captain Jones stating that report referred to in your telegram of yesterday as to English sailors instructing Siamese in torpedo practice is wholly without foundation.

No. 114.

Foreign Office to Borneo Company.

Sir,

Foreign Office, June 30, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letters of the 26th instant respecting the present state of affairs in Siam, and to inform you, in reply, that Her Majesty's Government are carefully watching the course of events.

One of Her Majesty's ships is at present stationed at Bangkok, and instructions

have been sent to the Naval Commander-in-chief on the China Station to send a second ship forthwith, and to hold another in readiness in case her presence should be required.

I am, &c.
(Signed) T. H. SANDERSON.

No. 115.

Mr. Phipps to the Earl of Rosebery.—(Received July 1.)

My Lord,

Paris, June 30, 1893.

WITH reference to your Lordship's telegram of this day's date, I lost no time in conveying to the French Minister for Foreign Affairs the statement made by Her Majesty's Minister at Bangkok that there was no foundation for the allegation that any English persons had been employed in teaching torpedo practice to the Siamese.

I have, &c.
(Signed) E. C. H. PHIPPS.

No. 116.

Admiralty to Foreign Office.—(Received July 1.)

Sir,

Admiralty, July 1, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, paraphrase of a telegram, dated the 30th June, from the Commander-in-chief on the China Station, relative to affairs in Siam.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 116.

Vice-Admiral Sir E. Fremantle to Admiralty.

(Telegraphic.)

Yokohama, June 30, 1893, 1.8 P.M.

ORDERS have been given to Her Majesty's ships "Plover" and "Pallas" to proceed to Bangkok. It is reported that a hulk has been sunk at the entrance of the Menam by the Siamese.

No. 117.

Captain Jones to the Earl of Rosebery.—(Received July 1.)

(Telegraphic.)

Bangkok, July 1, 1893.

IT is rumoured that the Annamite forces are hastily retreating from their position on the east of the Mekong River owing to the great hardships and sickness which they have met with. There are apparently good grounds for this report. The French seem to intend to carry on their operations from Khone only, and to launch armed boats from there to work up and down the Mekong River.

The islands which the French have recently occupied on the west coast of Cambodia have a deadly climate, and have in consequence been uninhabited.

No. 118.

The Earl of Rosebery to Mr. Phipps.

(Telegraphic.)

Foreign Office, July 1, 1893.

WITH reference to your telegram of yesterday, I have to state to you that no encouragement whatever has been given by Her Majesty's Government to the Siamese

to offer resistance to the French troops. For some time past I have had no personal communication with the Siamese Legation in London; but Her Majesty's Minister at Bangkok has received strict injunctions to advise the Siamese Government to arrange their differences with the French in a friendly manner.

Her Majesty's Government would indeed be glad to contribute, as far as lies in their power, to the attainment of such a result.

But in view of the possibility that on the approach of the French fleet a rising of the native population at Bangkok may occur, causing danger to life and property, it is necessary that some of Her Majesty's ships should be on the spot for the protection of British commercial interests, which are dominant at that place.

I have had much pleasure in taking note of the pacific assurances you have received from the French Minister for Foreign Affairs.

No. 119.

Mr. Phipps to the Earl of Rosebery.—(Received July 3.)

(Extract.)

Paris, June 30, 1893.

M. DEVELLE this evening expressed to me his apprehensions lest the language used by the Under-Secretary of State for Foreign Affairs in the House of Commons yesterday should encourage the Siamese Government in their attitude of resistance to the legitimate demands of France.

His Excellency said he could give me a solemn assurance that the French Government had no idea of interfering with the integrity of the Siamese Empire. But France had three grievances which must be redressed.

About six months ago the property, valued at about 80,000 fr., of a French merchant had been seized and sold. A French factory had also been destroyed, and finally Captain Thoreux had been captured by the Siamese, and had not been given up, in spite of repeated promises made during the last five weeks. There was also the murder of M. Groscurin, committed by a Siamese Mandarin, for which his Government must be held responsible.

Only a few days ago his Excellency had told the Siamese Representative that if the fresh promises were broken and these grievances were not redressed, the French Minister would be withdrawn from Bangkok, when Prince Vadhana would receive his passports.

As yet the French Government, animated by feelings of longanimity, had effected but one operation, and that a pacific one. All the Siamese posts on the left bank of the Mekong had been removed without collision, and the removal of the last of these posts had been necessary in order to prevent Tonquin being cut off from Annam. France had also taken possession of Samit, and when an attempt had been made on the part of the Siamese to interfere, they had been driven off. But if Captain Thoreux were not given up, and any further attempts made to temporize, France would have to get redress by arms.

His Excellency could not help regretting the announcement made by Sir Edward Grey of the arrival of a second, and perhaps of a third, British ship, as tending possibly to encourage Siam in its recalcitrant attitude.

M. Develle finally observed, apparently still referring to Sir E. Grey's speech, that no communications which had appeared in the press had been authorized by him; he objected to such a mode of conveying the intentions of the Government, and he hoped that no attention would be paid to them.

No. 120.

Admiralty to Foreign Office.—(Received July 3.)

Sir,

Admiralty, July 1, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to request that you will state to the Earl of Rosebery that a telegram has been received from the Captain of Her Majesty's ship "Pallas," dated at Singapore this day, stating that he was leaving immediately for Bangkok.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 121.

Captain Jones to the Earl of Rosebery.—(Received July 3.)

(Telegraphic.)

Bangkok, July 3, 1893.

FOR information of Board of Trade :—

Ships have been sunk across the mouth of the River Menam abreast the light-ship, leaving a channel clear from the light-ship to a breadth of about 250 yards to the eastward.

No. 122.

The Earl of Rosebery to Mr. Phipps.

Sir,

Foreign Office, July 3, 1893.

I RECEIVED a visit to-day from the French Chargé d'Affaires, who called to furnish me with a spontaneous explanation from M. Develle respecting the course of affairs in Siam. He said, with some strength of language, that for the last ten years France had been suffering a series of paltry wrongs and encroachments on the part of Siam, which she had hitherto been too much occupied by the difficulty of organizing her administration in Tonkin to resent. Of late, however, she had thought it necessary to do so, as well as to assert her right to the left bank of the Mekong. The Siamese had resisted these proceedings, had fired on the French troops, and had also captured a French officer, whom they had promised to deliver up, though they had not done so.

I asked if it were not the fact that Captain Thoreux was coming from the Mekong by land, and whether it did not take a long time to make the journey.

M. d'Estournelles said that was the fact, and that this prolonged journey was a further aggravation. In any case, the Siamese had shown backwardness and tardiness in offering satisfaction for this outrage, and the French Government could wait no longer. He then went on to complain of the language of Sir E. Grey in the House of Commons, as tending to give an impression in Siam and in France that Great Britain was giving her support to the Siamese.

This view I at once contested, stating that I did not think Sir E. Grey's words could be so interpreted. The dispatch of British ships to Siam was rendered necessary by the fact that our merchants loudly demanded protection, not against France, but against a native rising which they feared was imminent. Complaints had been already made that I was too supine in the matter, but if a rising were to take place, and British life and property were to be injured, I should be very seriously and justifiably attacked. I reminded M. d'Estournelles that the official map published in France showed that the places recently invaded by the French were in Siamese territory. But I had always sedulously kept aloof, and I authorized him to tell M. Develle that from the very inception of this business I had never seen the Siamese Minister or any one connected with him. On the other hand, through Sir T. Sanderson, and through Her Majesty's Minister at Bangkok, I had inculcated the desirability of coming to a prompt understanding and peaceful settlement with France, which should include all pending difficulties, and settle the frontier question on a permanent basis. Further, with regard to the ships sent to Bangkok, I gave him full authority to assure M. Develle that they were dispatched with the single object of protecting British life and property.

M. d'Estournelles, who had made some observations in reply to my first remarks, thanked me for the latter part of this communication.

I am, &c.

(Signed) ROSEBERY.

No. 123.

Scottish Oriental Steam-ship Company to the Earl of Rosebery.—(Received July 4.)

Your Lordship,

4 A, St. Andrew Square, Edinburgh, July 3, 1893.

WHILE we do not doubt that Her Majesty's Government are taking all necessary steps to protect the interests of British traders in the East, we would, nevertheless, venture to bring to the notice of the Foreign Office, through your Lordship, the very serious menace to British interests involved in the present situation in Siam.

The Scottish Oriental Steam-ship Company (Limited) was formed ten years ago for the purpose of trading in the East, mainly between Bangkok and Hong Kong. The shares of the Company are all held by British capitalists, and the Company is at present running a fleet of eleven steamers. These steamers are chiefly employed in carrying large quantities of rice from Bangkok to Hong Kong.

It is certain that any blockade, bombardment, or hostile occupation of Bangkok must result in very serious losses, not to this Company alone, but to all British traders in Bangkok, and their correspondents in Hong Kong and other British possessions in the East.

Among the largest shippers by this Company's steamers are Chinese merchants. Your Lordship is doubtless aware that a large number of Chinamen in Siam have become British subjects, trusting to the Government of Great Britain to protect them and their trade.

Capitalists engaged in the affairs of this Company are also concerned in other large mercantile enterprises in Siam, and we can say with confidence that those whom we represent have been largely instrumental in developing the resources of this friendly Power, and in establishing the confidence felt by Siamese in dealing with British subjects, and that they may therefore fairly claim to receive all possible protection.

In case it should be of interest to your Lordship to have an unofficial opinion on the present position, we may mention that three days ago we received a private telegram from our agents, who are the leading European firm in Bangkok, informing us that, while the situation is considered critical, hopes are locally entertained of an amicable settlement of the present difficulty, and that up to the time of dispatch of their telegram trade in Bangkok was still very brisk.

We are, &c.

Scottish Oriental Steam-ship Company (Limited),

(Signed)

FERGUSON, DAVIDSON, AND Co.,

Managers.

No. 124.

Foreign Office to Scottish Oriental Steam-ship Company.

Sir,

Foreign Office, July 4, 1893

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 3rd instant, calling attention to the importance of British commercial interests at Bangkok, and to the dangers to which they may be exposed.

His Lordship desires me to inform you that one of Her Majesty's ships has already been stationed at Bangkok, and that two more have been ordered to proceed to Siamese waters to protect the lives and property of British subjects in case of emergency.

I am, &c.

(Signed)

T. H. SANDERSON.

No. 125.

Foreign Office to Mr. Clarke.

Sir,

Foreign Office, July 5, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 29th ultimo, respecting affairs in Siam and the interests of British trade at Bangkok; and I am to inform you, in reply, that these matters are receiving the serious attention of Her Majesty's Government.

I am, &c.

(Signed)

T. H. SANDERSON.

No. 126.

Mr. Phipps to the Earl of Rosebery.—(Received July 6.)

My Lord,

Paris, July 5, 1893.

I HAVE the honour to inclose copy of a note which I addressed to the French Minister for Foreign Affairs, conveying the substance of your Lordship's telegram

of the 1st instant, relative to the attitude of Her Majesty's Government in the Siamese question.

I thought it useful at the same time, in accordance with the suggestion previously made by your Lordship, to place officially on record M. Develle's assurances in regard to any movements of the fleet towards Bangkok.

I take this opportunity of pointing out that M. Develle, in his conversation with me on the 30th ultimo, made a declaration that the French Government had no intention of interfering with the integrity of the Siamese Empire.

I have, &c.
(Signed) E. C. H. PHIPPS.

Inclosure in No. 126.

Mr. Phipps to M. Develle.

M. le Ministre,

Paris, July 1, 1893.

I DID not fail to communicate to Lord Rosebery the observations which your Excellency made to me during the course of our interview yesterday relative to the questions at issue between the French Government and that of Siam.

His Lordship, whilst taking note with pleasure of the pacific assurances thus conveyed by your Excellency, states to me that the Siamese Government are undoubtedly not encouraged by that of Her Majesty in the attitude of resistance to which your Excellency made reference. Whilst Lord Rosebery has not been for some time past in personal communication with the Siamese Legation in London, Her Majesty's Minister in Bangkok has received strict orders to recommend there the conclusion of a friendly arrangement with the French Government, and Her Majesty's Government would gladly take any steps in their power to contribute to such a result. But in view of the possibility, to which your Excellency also was fully alive, of a native rising at Bangkok, caused by the rumoured approach of the French fleet, and to the dangers which might result therefrom to life and property, it appears to Her Majesty's Government necessary to have ships to protect the British commercial interests which there are dominant.

I may add that I have not omitted also to convey to Her Majesty's Government the various assurances given by your Excellency that any further movements of the French fleet will be intimated to them.

I have, &c.
(Signed) E. C. H. PHIPPS.

No. 127.

Captain Jones to the Earl of Rosebery.—(Received July 10.)

(Extract.)

Bangkok, June 6, 1893.

I INCLOSE herewith a copy of the *note verbale* tendered to the French Minister here on the 2nd instant by the Siamese Minister for Foreign Affairs, on the matter of the rendition of the French prisoner, Captain Thoreux.

It has been decided to surrender this officer to the French Minister at Bangkok, and he will be brought here as soon as possible from Bassac, on the Mekong, where he is now detained.

Inclosure in No. 127.

Note Verbale.

M. PAVIE asks from the Government of His Majesty the King the release of Captain Thoreux. His demand is based on the fact that, as it was telegraphed to him by his Government, the Siamese Government had expressed regret for the capture of Captain Thoreux.

Prince Devawongse answers that the fact of the regrets expressed in the before-mentioned sense of an apology must rest on a misunderstanding on which he had already the opportunity to give explanations in a preceding interview. As for the release of Captain Thoreux, His Majesty's Government would be quite prepared to

give a favourable answer if it is asked as an act of courtesy and of good-will towards a Power with which they desire to remain on peaceful terms, but they cannot admit, even indirectly, that, in capturing Captain Thoreux when in command of an aggressive and hostile expedition they acted wrongly, or would act wrongly, in doing the same in similar circumstances.

In compliance with a demand of M. Lanessan, M. Pavie remarks that the French did not capture any Siamese.

Prince Devawongse replies that he is not yet sure if this is the case or not, but that the main question is, if the capture of Captain Thoreux is, or is not, legitimized by an act of war, which, in any case, he hopes may not be followed by others.

Foreign Office, Bangkok, June 2, 1893.

No. 128.

Consul Tremlett to the Earl of Rosebery.—(Received July 10.)

My Lord,

Saigon, June 9, 1893.

I HAVE the honour to forward to your Lordship further extracts from Saigon newspapers relating to the action of the French in the Mekong Valley.

I have, &c.

(Signed) C. F. TREMLETT.

Inclosure in No. 128.

Extract from "L'Indépendant de Cochinchine" of June 6, 1893.

(Télégraphique.)

M. Dufrénil, Vice-Résident en Mission, à Gouverneur-Général.

Muong-Phong, le 22 Mai.

PARTI hier matin de Ban-Phong. Ai été prévenu par habitants de Muong-Phong, venus à notre rencontre, que Siamois ou Laotiens en grand nombre s'étaient concentrés près de l'arroyo de Tou-Phang à deux heures de Muong-Phong; des agents Siamois à cheval épiaient nos mouvements; à 3 heures, nous trouvions la route barrée. Inspecteur Garnier a fait aussitôt tourner l'obstacle consistant en une simple ligne de gros piquets. Ayant annoncé ma venue Mandarin, je pénétrai dans son camp où attendaient, l'arme au pied, 300 hommes environ. Agent Siamois a déclaré qu'il était envoyé pour nous prier d'attendre les instructions de son chef de Muong-Phong; je l'ai mis en demeure de nous suivre; nous avons pu compter 236 mauvais fusils à pierre, tous chargés. L'effectif composé de 100 hommes d'Oubane et de Saravane et 200 habitants environ levés au Chau de Song Khône; j'ai reçu à 4 heures tram à cheval expédié par Chef Militaire de Muong-Phong, porteur de trois lettres dont une à mon adresse et les deux autres envoyées à l'agent que nous ramenons avec nous. Ces lettres, lues en ma présence, annonçaient une levée d'hommes dans toute la région et l'intention formelle du chef de poste de ne me recevoir que sous condition. Sa lettre me faisait en effet connaître qu'il ne pourrait me recevoir dans son poste que si j'étais accompagné des Mandarins Siamois actuellement avec nous et quelques hommes non armés, et que dans le cas où je me présenterais avec un détachement, il me donnerait rendez-vous sur un point du village qui serait fixé ultérieurement. N'ayant pas à accepter de conditions, je continuais ma route me réservant d'envoyer un ultimatum à ce Chef. Nous sommes arrivés à la nuit en face du village de Ban-La-Ho, tout près de Muong-Phong et d'où nous entendions sonner les clairons des Siamois. Dès le matin les principaux notables de Muong Phong sont venus annoncer le départ du détachement Siamois qui s'est dirigé sur Song-Khône et Kemmaran; les habitants de Muong-Phong nous ont fait un chaleureux accueil et nous ont facilité en quelques heures notre ravitaillement; la nouvelle de la fuite du détachement Siamois était répandue rapidement et nous recevions le soir même la visite des Chefs des villages situés à une certaine distance; les habitants du Chau de Nam-Nan, tout récemment menacé de voir leur territoire occupé par les Siamois, sont également venus nous demander avec instance de les protéger; le Chef du Chau de Muong-Phong, vieillard des plus respectés

et très aimé de la population, s'est présenté à moi avec son fils qui occupe après lui la première fonction dans Chau. Ce Chef déclare qu'il dépend de Sa Majesté le Roi d'Annam ; il nous témoignait comme tous ici joie vive de n'être plus sous domination des Siamois et nous exprimait en termes touchants sa reconnaissance qu'il me prie de vous transmettre. Si d'une façon générale la population a laissé entrevoir quelque hésitation inspirée par la crainte, elle ne cache plus aujourd'hui son antipathie pour les Siamois. Les gens de Muong-Phong qui venaient d'être l'objet de vexation et de rapines nous manifestaient plus spontanément la satisfaction que notre intervention leur fait éprouver.

Irons demain soir à Song-Khône.

M. Luce, Résident en Mission dans la Région de Cammon, à Gouverneur-Général.

Le 22 Mai.

Le Commissaire Siamois ayant refusé pendant plusieurs jours de quitter volontairement le poste de Cammon et s'obstinant à maintenir son pavillon hissé en face du drapeau Français, j'ai dû le désarmer et lui faire évacuer son poste. Le Mandarin Siamois n'a fait aucune résistance. Il partira le 25 au matin pour Kenkiec. M. l'Inspecteur Groscurin chargé de l'étude des routes de la région. L'armement des Siamois consiste en quatre-vingt fusils de différents modèles Européens et armes blanches que j'ai confisqués. Sitôt après le départ des Siamois, je visiterai le Camecot et les principaux villages des deux huyens. La population toute entière attend ce moment pour se livrer à des réjouissances publiques.

Le Vice-Résident Dufrénil au Gouverneur-Général, à Hanoi.

Song-Khône, le 23 Mai.

Nous sommes arrivés à Song-Khône où nous avons trouvé peu d'habitants. La plupart entre eux se sont réfugiés aux environs fuyant les Siamois depuis leur récent passage, mais la nouvelle de notre arrivée a été rapidement connue et déjà les femmes et les enfants reviennent au village. En apprenant notre arrivée prochaine, les Siamois ont traversé précipitamment Song-Khône la nuit dans une véritable débandade. Nous avons pu voir semés sur la route des voitures à bœufs et divers objets qu'ils ont abandonnés. Ils ont fait le trajet de Muong-Phong ici en cinq heures et ils ont aussitôt traversé le Sébanghieng en coulant les pirogues derrière eux et en laissant leurs bagages, faute de porteurs, ces derniers ayant profité pour s'enfuir de la nuit et de la panique des Siamois. Nous comptons arriver au Mékong après-demain.

M. Dufrénil télégraphie à nouveau, le 26, à midi, de la rive gauche du Mékong en face Kemmarat : " Nous sommes arrivés hier soir en face Kemmarat. Le village de Naprasun, situé sur les bords du fleuve, et dans lequel nous avons campé, a été entièrement brûlé par les Siamois. Ce matin dès 8 heures, le drapeau Français a été arboré sur la rive même du fleuve bien en vue de Kemmarat ; les Siamois et les Laotiens rassemblés sur différents points de la rive opposée, épiaient nos moindres mouvements.

" Les Mandarins de Hosang et de Xuon-Thang ont fait connaître au Chef Siamois que ma mission se terminerait ici et je leur ai signifié devant la garde civile assemblée, qu'au nom du Gouvernement Français j'affirmais notre droit d'occupations dans tous les Chans compris entre Cam-lo et le Mékong.

" Le Mandarin de Hosang m'a prié, pour éviter tout malentendu, de faire une déclaration écrite qui serait affichée. J'ai aussitôt accédé à son désir et la traduction en a été faite par mon interprète ; les Siamois m'ayant demandé si la liberté du commerce devait toujours subsister, je leur ai répondu affirmativement. Ma réponse leur a causé une vive satisfaction."

En terminant son télégramme, M. Dufrénil rend hommage à l'activité et au dévouement de la garde civile, à l'Inspecteur Garnier qui connaît très bien cette région et dont le concours lui a été précieux et aux gardes principaux qui ont rendu d'excellents services. Ces militaires, bien que très éprouvés par la maladie et des fatigues excessives, ont toujours marché avec le plus grand entrain.

Captain Jones to the Earl of Rosebery.—(Received July 11.)

(Telegraphic.)

Bangkok, July 11, 1893.

A COMMUNICATION has been addressed to the Siamese Government by M. Pavie on behalf of the French Government, in which he states that it has been decided to send two more French gun-boats to Siamese waters for the protection of French subjects during the present state of uncertainty. The reason given is that Her Majesty's Government have ordered several ships to proceed for this object, and that the French Government are only following the example initiated by other Powers. M. Pavie states that these vessels can arrive off the bar at the mouth of the river on the 13th instant, and the French Admiral asks that arrangements may be made for supplying them with pilots, and that they may be permitted to proceed to Bangkok according to what he considers to be a right under the Treaties.

The answer of the Siamese Government is to the effect that they have received no notice that Her Majesty's Government intend to send ships to Bangkok or to any other point on the Menam besides Her Majesty's ship "Swift," which now lies off the British Legation, just as the French gun-boat "Lulin" is anchored near the French Legation. They suppose that as the French Government wish to act similarly with Great Britain and the other Powers, they will not send any more ships up the river. They observe that the initiative was certainly taken by the French Government, and that this was done on the 14th March in the most menacing manner. If the French gun-boat were to be withdrawn even now, tranquillity and confidence would be restored. They protest against the claim that any foreign Power can, as a matter of absolute right, send as many ships as it thinks fit to Bangkok. Siam would thereby be deprived of her natural right to protect herself, and if she were to accept such an interpretation of the Treaties she would thereby abdicate her right to maintain her own independence.

Captain Jones to the Earl of Rosebery.—(Received July 12.)

(Telegraphic.)

Bangkok, July 12, 1893.

THE Siamese Government have been informed by M. Pavie that the French gun-boat "Inconstant" will come up the river in spite of opposition.

The Earl of Rosebery to Mr. Phipps.

(Telegraphic.)

Foreign Office, July 12, 1893.

HER Majesty's Government have been informed from Bangkok of a rumour that the French Admiral threatens to enter the river by force. We place no belief in this report, as we have absolute confidence in the assurances which have been given to us by M. Develle. It is said, however, that the Admiral's action is based upon the fact that three of Her Majesty's ships are to remain in the Menam. It may be well, therefore, that when you communicate to the French Government the statements above referred to, you should mention that the two additional ships, which have recently been ordered to proceed to Siamese waters for the protection of British subjects, will not cross the bar of the river, and that Her Majesty's ship "Swift" will alone remain off Bangkok, where she has been lying for some weeks. Such rumours as I have above referred to must necessarily tend to produce the very agitation which it is desired to guard against, and we cannot but regret that they should arise.

No. 132.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 12, 1893.

I HAVE received your telegrams of yesterday and to-day.

Her Majesty's ship "Pallas" cannot cross the bar at the mouth of the river. You should arrange that both "Pallas" and "Plover" may remain at the entrance of the river outside of the bar, and it will be open to the Siamese Government to inform the French Minister of this fact.

No. 133.

Borneo Company to the Earl of Rosebery.—(Received July 12.)

My Lord,

28, Fenchurch Street, London, July 12, 1893.

I HAVE the honour to hand your Lordship copy of an alarming message just received from our Manager in Bangkok:—

"French Government steamer or steamers may be expected at any moment. French Consul insists upon right of entering port. Siamese Government will not agree. They are closing river mouth at once."

It is unnecessary for me to point out what a very serious matter this is for British trade, and I can only hope your Lordship may be able to take measures to avert such a great calamity.

I have, &c.

(Signed)

F. RICHARDSON,

Chairman of the Borneo Company (Limited).

No. 134.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 12, 1893.

THE complete closing of the entrance to the Menam would be a serious blow to trade. We hope that the Siamese Government will not resort to such a measure unless they are driven to extremities.

No. 135.

Borneo Company to the Earl of Rosebery.—(Received July 13.)

My Lord,

28, Fenchurch Street, London, July 13, 1893.

I HAVE the honour to hand your Lordship copy of a telegram just received from our Manager in Bangkok:—

"French Consul agrees to French Government steamers waiting a few days at Koh-si-Chang. It is arranged river mouth shall not at present be closed."

I have, &c.

(Signed)

F. RICHARDSON,

Chairman of the Borneo Company (Limited).

No. 136.

Foreign Office to Borneo Company.

Sir,

Foreign Office, July 13, 1893.

I AM directed by the Earl of Rosebery to acknowledge with thanks the receipt of your letters of yesterday and to-day, relative to a supposed intention of the Siamese Government to block the entrance of the Menam River, which is now reported to have been abandoned. I am to state that the course of events at Bangkok

is engaging the constant attention of Her Majesty's Government, who will do what is in their power to avert any measures which would be detrimental to British commerce.

I am, &c.
(Signed) T. H. SANDERSON.

No. 137.

Mr. Phipps to the Earl of Rosebery.—(Received July 13.)

(Telegraphic.)

Paris, July 13, 1893.

BY the 15th Article of the Treaty of 1856, French ships are allowed to advance as far as Paknam, and from thence, the Siamese Government having been previously warned, they may proceed to Bangkok; but I am informed by M. Develle that the ships already sent will remain outside the bar, and that the intention of sending others to Bangkok has been abandoned in consequence of my last night's communication. Moderation is thus shown.

I am reporting fully by bag to-night; but I am sure, from the language used by the Minister for Foreign Affairs, the principal grievance is the retention of Captain Thoreux. French may be obliged to proceed to extreme measures unless this officer is at once handed over.

Such action on the part of the Siamese would have a calming effect here.

No. 138.

Captain Jones to the Earl of Rosebery.—(Received July 13.)

(Telegraphic.)

Bangkok, July 13, 1893.

THE defences at the bar of the river have been successfully passed by two French gun-boats, which have cast anchor opposite the French Legation at Bangkok.

No. 139.

Mr. Phipps to the Earl of Rosebery.—(Received July 14.)

My Lord,

Paris, July 13, 1893.

ON receipt of your Lordship's telegram of yesterday I at once addressed a private communication to M. Develle on the subject of the proposed action attributed to the French Admiral in Siamese waters, and I called upon his Excellency by appointment this afternoon, in accordance with a desire which I had expressed. M. Develle stated that, under the circumstances explained by me, it had been decided that such French ships as would be sent would remain outside the bar, leaving only the "Lutin," as at present, off Bangkok; but in doing this he added that the French Government were exhibiting a continuance of the moderation which they had already evidenced. The XVth Article of the Franco-Siamese Treaty of 1856 was explicit, and allowed French ships to penetrate into the river as far as Paknam, and, after previous warning to the Siamese Government, to proceed to Bangkok. The intentions of the French Government had been founded on rumours, similarly current at Bangkok, as to the immediate arrival of British ships, rumours which were corroborated by Sir E. Grey's language.

I said that the intentions of Her Majesty's Government had been based upon the necessity of protecting our commercial interests in Bangkok, where, as his Excellency was aware, we absorbed three-quarters of the trade. As I understood, we did not enter into the merits of such grievances as France might have against Siam, but it was obvious that, if a powerful nation which had litigious international questions with a weak Power were to make an imposing naval demonstration within its territory, the latter would be deprived of all power of defending itself.

M. Develle replied that the patience and moderation of the French Government proved that this consideration was not lost sight of, but Captain Thoreux was not yet given up, and if in a few days that were not achieved, France would have to take further measures. I reminded his Excellency that your Lordship had expressed a desire to

smooth down, in any manner possible, pending differences, and asked whether that was the principal point to which he attached importance.

M. Develle said that it was now admitted by the Siamese that M. Groscurin was murdered in cold blood, and in his bed, and the only point was how far such act had been the result of any attack by Annamite soldiers. As to Captain Thoreux' being given up, French dignity did not permit of asking for the intervention of any foreign Power in order to secure this legitimate demand, which, if not acceded to, would have to be enforced.

I have, &c.
(Signed) E. C. H. PHIPPS.

No. 140.

Borneo Company to the Earl of Rosebery.—(Received July 14.)

My Lord, 28, Fenchurch Street, London, July 14, 1893.
I HAVE the honour to acknowledge with thanks your Lordship's letter of the 13th instant.

I now beg to hand you copy of our message received this morning, dated Bangkok, 9 A.M. :—

"Two French steamers forced an entrance to Bangkok yesterday evening. Sharp engagement at Paknam."

This confirms the news appearing in to-day's "Times."

Your Lordship can understand the grave anxiety felt by every one interested in Bangkok, and if British interests are to be protected, very prompt measures seem necessary.

I have, &c.
(Signed) F. RICHARDSON,
Chairman of the Borneo Company (Limited).

No. 141.

The Earl of Rosebery to Mr. Phipps.

(Telegraphic.) Foreign Office, July 14, 1893.

I HAVE received your telegram of last evening, reporting that M. Develle had abandoned the intention of sending additional ships of war to Bangkok. But at the same time that your telegram arrived conveying his assurances I received one from Her Majesty's Minister at Bangkok stating that the French ships had passed the bar and ascended the Menam.

I do not doubt the good faith of M. Develle himself, but I also believe that the French Government are drifting into a position of extreme gravity owing to the action of their officers, which appears to be uncontrolled and irresponsible.

Already material injury has been done to British trade, and this last movement on the part of the French ships has seriously increased the probability of a rising, which would imperil the lives and property of all foreign residents.

You should impress on M. Develle the difficult position in which Her Majesty's Government are placed as to giving such an explanation of the facts as may neither arouse indignation in this country nor cause offence in France, either of which contingencies might imperil the maintenance of our friendly relations.

Questions will certainly be asked in one or both Houses of Parliament this afternoon, and I trust that M. Develle will supply me with the means of replying to them.

No. 142.

Captain Jones to the Earl of Rosebery.—(Received July 14.)

(Telegraphic.) Bangkok, July 14, 1893.

I TELEGRAPHED yesterday that two French gun-boats had passed up the Menam. Early in the day M. Pavie had agreed that they should not come up, but remain at anchor some distance from the mouth of the river. He dispatched a naval

officer to the "Inconstant" with these instructions. M. Develle had also assured the Siamese Minister in Paris that the ships had been recalled, and that the French Government had absolutely no designs on the independence of Siam. He expressed a hope that all questions in dispute between France and Siam would soon be settled in a conciliatory manner. Tranquillity prevails up to the present. Her Majesty's ship "Linnet" has arrived, and is anchored off Bangkok.

No. 143.

Senior Officer, Bangkok, to Admiralty.—(Communicated by Admiralty, July 14.)

(Telegraphic.)

"Swift," at Bangkok, July 14, 1893.

IN face of the desire of the French Minister to restrain them, "Inconstant" and "Comète" forced river at 7 yesterday evening. Her Majesty's ship "Linnet" arrived last night; will join the "Swift" off Bangkok. The "Pallas" sent up small-arm men. Ships arrived uninjured. One man was killed on board the "Inconstant," and twenty killed and wounded at Fort Paknam. A conference will take place here to-day at noon.

No. 144.

Mr. Phipps to the Earl of Rosebery.—(Received July 14.)

(Telegraphic.)

Paris, July 14, 1893.

WITH reference to your Lordship's telegram of to-day, M. Develle, at the review this afternoon, explained recent events as follows:—

Three days ago orders were dispatched to Admiral Humann, under the circumstances then existing, to send additional ships to Bangkok, not to attempt to force the passage of the river, but to enter a protest should admission be refused.

On the 12th the orders given were to remain outside the bar.

Apparently the modified orders had not been received, but the Siamese, instead of protesting, opened fire on the ships, in violation of the Treaty of 1856.

Upon his Excellency expressing his annoyance at this misunderstanding, I therefore inquired whether the additional ships would be withdrawn.

His Excellency replied that he was too incompletely informed as to circumstances to be able to reply, but that he would see me the following morning; that the whole affair must, however, now be brought to a conclusion.

His Excellency will see me to-morrow.

No. 145.

The Earl of Rosebery to Mr. Phipps.

Sir,

Foreign Office, July 14, 1893.

I HAVE to express the approval by Her Majesty's Government of the note you addressed to M. Develle on the 1st instant, a copy of which accompanied your despatch of the 5th, in regard to the attitude maintained by them on the questions at issue between France and Siam, and to the assurances given by his Excellency that any further movements of French ships towards Bangkok would be duly notified.

I am, &c.

(Signed) ROSEBERY.

No. 146.

Mr. Phipps to the Earl of Rosebery.—(Received July 15.)

My Lord,

Paris, July 14, 1893.

I HAVE the honour to transmit herewith to your Lordship copy of a note which I addressed to M. Develle this morning, confirming in an official form the communication which I had addressed to his Excellency on the evening of the 12th instant on receipt of your Lordship's telegram of the 12th instant on the subject of the proposed action of the French Admiral in Siamese waters.

I have, &c.

(Signed) E. C. H. PHIPPS.

Inclosure in No. 146.

Mr. Phipps to M. Develle.

M. le Ministre,

Paris, July 14, 1893.

IN confirmation of the private communication which I addressed to your Excellency on the evening of the 12th instant, I have the honour to inform your Excellency that, according to advices received by Her Majesty's Government from the British Minister at Bangkok, a rumour was current there that the French Admiral threatened to force an entrance into the Menam River.

Her Majesty's Government feeling absolute confidence in the assurances conveyed by your Excellency, did not place credence in that report. Nevertheless, as the proposed action attributed to the French Admiral was stated to be based on the fact that three of Her Majesty's ships were remaining in the River Menam, Her Majesty's Government had instructed me to state that the additional ships intended for the protection of British subjects had been intended to remain outside the bar, whilst the "Swift" would remain in the river, where it had been for some weeks past.

I added that Her Majesty's Government regretted the rumour to which I have referred as tending to produce that agitation against which Her Majesty's Government was desirous to guard.

I have, &c.
(Signed) E. C. H. PHIPPS.

No. 147.

Mr. Campbell to the Earl of Rosebery.—(Received July 15.)

My Lord,

Billiter Square Buildings, London, July 14, 1893.

I HAVE the honour to address your Lordship in reference to the present state of political affairs in the Kingdom of Siam.

I am the contractor for the construction and equipment of the Nagara Rajasema State Railway from Bangkok to Korat, a distance of 156 miles. The Contract is between the Government of Siam and myself. A large amount of capital has been invested in plant, material, and houses, and permanent-way material of the value of 100,000*l.* has been imported into Siam. I am under heavy guarantee, and am responsible for the maintenance of the works constructed and the care of materials imported, and for the completion of the line within a stipulated period.

When I left Bangkok last May the mere presence of the French gun-boat "Lutin" in the river, though no act of hostility had taken place, was sufficient to render the situation very acute; and now that the passage of the river has been actually forced under fire, turbulence of the most serious character may at any moment break out in Bangkok, where there are at least 50,000 Chinese coolies over whom the Siamese Government have practically no control. Before I left in May, almost the entire available troops had been sent to the Mekong Valley, and the local police were scarcely able to subdue a riot in the gaol in Bangkok.

I would respectfully urge the need for prompt and urgent action on the part of Her Majesty's Government to protect British interests in Siam generally, as well as life and property in Bangkok. I may mention as a proof that much of what takes place in Siam is not within the knowledge of the Foreign Office in Paris, that I have it on the best authority that ten days after the "Lutin" had anchored in the river abreast of Bangkok the French Foreign Office was unaware of its presence there.

I have, &c.
(Signed) G. MURRAY CAMPBELL.

No. 148.

M. de Bille to the Earl of Rosebery.—(Received July 15.)

M. le Comte,

Légation de Danemark, Londres, le 14 Juillet, 1893.

D'ORDRE de mon Gouvernement j'ai l'honneur de m'adresser à votre Excellence afin de la demander si le Gouvernement de Sa Majesté Britannique veuille bien permettre que les sujets Danois à Siam soient mis sous la protection de la Grande-Bretagne en cas de guerre.

En vous priant, M. le Comte, de vouloir bien me faire savoir dans le plus bref délai possible la décision du Gouvernement de Sa Majesté Britannique pour que je puisse la communiquer immédiatement à Copenhague, je saisis, &c.

(Signé) F. BILLE.

(Translation.)

My Lord,

Danish Legation, July 14, 1893.

I HAVE the honour to address your Excellency by order of my Government with the object of asking you if Her Britannic Majesty's Government would be good enough to permit Danish subjects in Siam to be placed under the protection of Great Britain in case of war.

Begging your Lordship to be good enough to inform me of the decision of Her Britannic Majesty's Government within as short a time as possible, in order that I may communicate it at once to Copenhagen, I have, &c.

(Signed) F. BILLE.

No. 149.

Admiralty to Foreign Office.—(Received July 15.)

Sir,

Admiralty, July 15, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the paraphrase of a telegram, dated this day, from the Senior Naval Officer at Bangkok.

I am, &c.

(Signed) EVAN MACGREGOR.

Inclosure in No. 149.

Senior Naval Officer, Bangkok, to Admiralty.

(Telegraphic.)

"Pallas," at Bangkok, July 15, 1893.

IT has been agreed on both sides that action shall be suspended during attempt to settle matters satisfactorily.

"Mistic" arrived and sailed the 14th July. I have had a long interview with the Senior Officer of the French ships of war, and detailed my personal knowledge of the antecedent circumstances and observation of the disregard of French Minister's request that their ships should wait.

I hope that the protection of British interests is secured.

We have quite sufficient ships for the purpose.

No. 150.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 15, 1893.

I HAVE received a request from the Danish Government that Her Majesty's ships may extend their protection to Danish subjects at Bangkok in case of necessity. I have agreed that this should be done, and the Admiralty will be asked to instruct the naval officers accordingly.

No. 151.

Foreign Office to Admiralty.

Sir,

Foreign Office, July 15, 1893.

I AM directed by the Earl of Rosebery to state, for the information of the Lords Commissioners of the Admiralty, that the Danish Minister has asked, in the name of his Government, that British protection may be afforded to Danish subjects in Siam if the necessity should arise during the present critical state of affairs.

Lord Rosebery has stated, in reply, that Her Majesty's Government will be pleased

to meet the wishes of the Danish Government in this respect, and I am to request that you will move the Lords Commissioners of the Admiralty to give the necessary instructions by telegraph to the Commander of Her Majesty's naval forces in Siamese waters.

I am, &c.

(Signed) T. H. SANDERSON.

No. 152.

Mr. Phipps to the Earl of Rosebery.—(Received July 15.)

(Telegraphic.)

Paris, July 15, 1893.

M. DEVELLE, whom I have just left, is afraid that telegrams have been intercepted, as since he received the actual report of what occurred on the 13th, his Excellency has had no information telegraphed to him.

Admiral Humann, in a telegram from Saigon, talks of an ambuscade, and the Commander of French ships reports that fire was immediately opened upon them, whereas on the other hand the Siamese Minister asserts that a warning was given by the firing, first of blank cartridges and then of shots intentionally aimed wide.

An entry was to be attempted on the 8th, under the circumstances which then existed, and if refused permission to do so, they were to retire after protesting. Hostilities were under no circumstances to be provoked until matter had been referred home.

On the receipt of British assurances orders were issued on the evening of the 12th July that they were not to cross the bar.

No. 153.

Mr. Phipps to the Earl of Rosebery.—(Received July 15.)

(Telegraphic.)

Paris, July 15, 1893.

WITH reference to telegram from Her Majesty's Minister at Bangkok of yesterday, M. Develle informs me that he has no report from M. Pavie as to his action referred to.

No. 154.

Captain Jones to the Earl of Rosebery.—(Received July 16.)

(Telegraphic.)

Bangkok, July 16, 1893.

YOUR Lordship's telegram of yesterday.

The French loss in the recent engagement was three killed and two wounded, and the Siamese had about twenty killed and some wounded.

Since the French gun-boat arrived here, nothing of any interest has occurred. All is quiet up to the present, although there are many wild rumours and panics amongst the merchants. It seems likely that tranquillity will be maintained.

No. 155.

Sir H. Rumbold to the Earl of Rosebery.—(Received July 17.)

My Lord,

The Hague, July 14, 1893.

I ASKED M. van Tienhoven, when I saw him yesterday, whether, as reported, a Dutch man-of-war had been sent to Bangkok.

His Excellency said that the Netherlands Consul in that capital had applied to the Governor-General at Batavia for some protection to Dutch subjects and interests, and that the latter had referred the matter home. Under the circumstances it had been thought best to leave the point to the decision of the Governor-General, who had given orders for the dispatch of a ship to the Siamese capital. The vessel had probably by this time reached its destination.

The Dutch subjects in Siam, according to M. van Tienhoven, are some Javanese, mostly fishermen, and Chinese born in Java, of parents settled there, and therefore under Dutch protection.

I have, &c.
(Signed) HORACE RUMBOLD.

No. 156.

Borneo Company to the Earl of Rosebery.—(Received July 17.)

My Lord,

28, Fenchurch Street, London, July 17, 1893.

I HAVE the honour to hand you copy of telegram from our Manager in Bangkok, dated to-day, 5.35 P.M.:—

“Four French Government steamers are here; three more are expected in a few days. Position very grave. Expect heavy fighting shortly.”

The gravity of the position of affairs is apparent, and we trust your Government will be able to do something to avert the threatened danger.

I have, &c.
(Signed) AND. CURRIE, *Secretary*.

No. 157.

The Earl of Rosebery to Mr. Phipps.

(Telegraphic.)

Foreign Office, July 17, 1893.

FOLLOWING statement was made in both Houses of Parliament this afternoon:—

“In order to consider justly and dispassionately the present position of affairs between France and Siam, it is necessary to keep distinct several questions which, from the course of events, have become intermingled. But it is right to premise that perhaps the main difficulty in forming any conclusion on those questions lies in obtaining clear and definite information; and in the absence of such information Her Majesty’s Government are not prepared to offer any decided opinion as to the merits of the various points at issue.

“There are, first of all, certain claims by the French Government for compensation for losses suffered by some French merchants and travellers in consequence of the action of Siamese officials. These are not of large amount, but the French Government appear to have laid stress on these being satisfied as a preliminary to negotiations on more important matters; while the Siamese Government have made difficulties and objections which have not yet been withdrawn.

“There is, secondly, the question of the frontier between France and Siam in or adjacent to the Mekong Valley. This is a question of a complicated character on which Her Majesty’s Government have not sufficient information to pronounce a definite opinion, and in which—provided it be kept within certain limits and does not assume such proportions as to affect the independence and integrity of the Siamese Kingdom—Great Britain is not directly interested.

“There is, thirdly, the question of the capture of a French officer, Captain Thoreux, and the alleged murder of another, with some Annamite soldiers. It is reported in the papers this morning that Captain Thoreux, whose liberation was promised by the Siamese Government some time ago, has now been actually conveyed into French territory and surrendered. In regard to the other incident, the facts are contested, and it is not known what the demands of the French Government may be.

“Fourthly, there is the forcible ascent of the Menam by two French gun-vessels against the opposition of the Siamese authorities. In regard to this act, we are not at present in possession of all the facts, the information received by Her Majesty’s Government being little, if at all, more than that which has appeared in the public press. But there is reason to believe that it was contrary to the directions of the French Government, and to the expressed wish of the French Representative at Bangkok. It is absolutely necessary to await more detailed information before an opinion can be pronounced on the merits of the question. Our last advices from Paris, however, state that the French Commanders positively assert that they were subjected to an unprovoked fire in the exercise of their undoubted right to ascend as far as Paknam.

"Fifthly, there is a question of the protection of British subjects and property and those of other European Powers at Bangkok. Her Majesty's Government have for some time past been making provision for this; they are assured by the naval authorities that the arrangements are complete, and the force sufficient. Should more ships be required they will be immediately available.

"Finally, there is the question of the integrity and independence of Siam. Her Majesty's Government are fully sensible that this is a subject of grave importance to the British, and more especially to the British Indian, Empire. But the French Government declare themselves to be not less anxious than ourselves to maintain and respect that independence and integrity.

"Her Majesty's Government are fully alive to their responsibilities in this matter, and they will not lose any opportunity which may present itself of facilitating a satisfactory solution."

No. 158.

Mr. Phipps to the Earl of Rosebery.—(Received July 17.)

(Telegraphic.)

Paris, July 17, 1893.

FOLLOWING is M. Develle's full statement of facts and intentions:—

The original declarations of the French Government were to the effect that an attack on Bangkok was not contemplated. Should such necessity be forced upon it, information would, in view of important commercial interests and large number of subjects, be in due time conveyed to Her Majesty's Government in order that necessary protective measures should be adopted.

Subsequently declarations of a similar nature were exchanged to the effect that the forces on the spot should not be increased.

The additional French ships, under orders to proceed as far as is allowed by Treaty of 1856, left Saigon on the 10th, but it was understood that, as above indicated, in consequence of arrangements subsequently made with Siamese Government, which were communicated to Her Majesty's Government, that, pending receipt of instructions, French ships should wait at bar.

They were subjected to unprovoked fire at bar, where they had intended to remain; they returned fire after they had received two discharges. Fire was then opened upon them by Siamese fleet and by island, and in consequence they proceeded to Bangkok without stopping at Paknam.

French Government had so little contemplated undertaking hostilities that they had dispatched M. Le Myre de Vilers on the 8th from Paris. His instructions were to come to a settlement with the Siamese Government of the grievances at issue, involving the cession of the left bank of the Mekong and pecuniary compensations necessary.

As regards the future, an undertaking cannot be given by the French Government that they will withdraw ships which have just been exposed to an unprovoked attack. If placed in similar circumstances Her Majesty's Government would not act otherwise. Making exception for their demand for the cession of the left bank of the Mekong, French Government declare that they do not intend to interfere with the integrity of the Siamese Kingdom.

French demands for indemnity will, of course, be increased by the destruction of the "Say."

A considerable interruption in telegraphic communications has occurred, and the information to hand is for the most part incomplete. It is even unknown whether the positive orders given to the French naval officers were disobeyed in any respect.

No. 159.

The Earl of Rosebery to Captain Jones.

(Extract.)

Foreign Office, July 17, 1893.

THE Siamese Minister sent to me on the 15th instant a message requesting that I would see him in the course of the day.

I thought it better, however, as on previous occasions during the present

discussions between France and Siam, that either he or the English Secretary of Legation should see Sir Thomas Sanderson, at all events in the first instance, and I so informed him.

He called, accordingly, in the course of the afternoon, accompanied by the English Secretary, Mr. Verney, and by an interpreter.

He said that his object was to appeal to Her Majesty's Government to use their good offices with that of France in order to obtain for Siam less severe treatment than she had recently experienced, and moderate terms of arrangement.

Sir T. Sanderson stated that he would of course report to me the request for the good offices of Her Majesty's Government, but that they must themselves feel that the recent encounter between the Siamese batteries and the French gun-boats at the mouth of the Menam would render an arrangement much more difficult, and would indispose the French to listen to conciliatory advice on the part of a third Power.

The Siamese Minister begged that it might be remembered that the encounter on the Mekong had taken place against the wishes of the Siamese Government, who were greatly embarrassed by the difficulties of communication with their officers. The same difficulty might have been the cause of the encounter at Paknam, as the Siamese Government had apparently relied on the assurance of the French Minister that the gun-boats would not attempt to ascend the Menam. But he was not in possession of any details.

He strongly urged that in the interests of the whole foreign community at Bangkok and elsewhere in Siam, and of the large commercial interests involved, it was most expedient that a speedy settlement of the differences with France should be obtained.

Sir T. Sanderson again promised that he would at once lay before me the request for the good offices of Her Majesty's Government.

I am not, however, of opinion that under present circumstances it would be of any avail for Her Majesty's Government to offer those good offices, as they are only desired by one side in the quarrel, and would be resented by the other.

No. 160.

Foreign Office to Mr. Campbell.

Sir,

Foreign Office, July 17, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 14th instant, calling attention to the existing relations between France and Siam and to the political situation generally in the latter country.

In reply, I am to state that two British gun-boats are now stationed off Bangkok, that another British vessel of war is at the mouth of the Menam, and that in case of popular commotion and violence all proper steps will be taken for the protection of British life and property.

I am, &c.
(Signed) T. H. SANDERSON.

No. 161.

Admiralty to Foreign Office.—(Received July 18.)

Sir,

Admiralty, July 17, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, copy of a telegram, dated the 17th July, from the Senior Naval Officer at Bangkok.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 161.

Senior Naval Officer at Bangkok to Admiralty.

(Telegraphic.)

Bangkok, July 17, 1893.

THE Danish under arms in the Siamese service claim protection without resigning.

The Danish Consul is uncertain whether this can be granted to them.

No. 162.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 18, 1893.

REFERRING to my telegram of the 15th instant, respecting the protection of Danish subjects residing in Siam by Her Majesty's Government, I have to inform you that in consequence of an inquiry addressed to the Lords Commissioners of the Admiralty by the Senior Naval Officer in Siamese waters I have apprised the Danish Minister that Danish subjects cannot claim British protection while under arms in the service of Siam. This rule is identical with that applied to British subjects who accept military employment under a foreign Government.

No. 163.

The Earl of Rosebery to M. de Bille.

M. le Ministre,

Foreign Office, July 18, 1893.

WITH reference to your note of the 14th instant, relative to the wish of your Government to learn whether Her Majesty's Government would undertake the protection of Danish subjects residing in Siam in the event of hostilities breaking out between that country and France, I have the honour to inform you that the Senior Naval Officer in Siamese waters has been instructed to protect Danish subjects in case of need.

That officer has now asked whether Danish subjects under arms in the service of the Siamese Government can claim protection without sending in their resignations.

With reference to this inquiry, I have the honour to state that the officer referred to will be informed that it has been decided that a British subject, by accepting military employment under a foreign Government, forfeits his right to British protection in the country into whose service he had entered, and, in the opinion of Her Majesty's Government, this decision would apply to the case of a foreigner under British protection.

I have, &c.
(Signed) ROSEBERY.

No. 164.

Foreign Office to Admiralty.

Sir,

Foreign Office, July 18, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 17th instant, inclosing a telegram from the Senior Naval Officer at Bangkok respecting the protection of Danish subjects under arms in the Siamese service.

I am to state, in reply, for the information of the Lords Commissioners of the Admiralty, that it has been decided that a British subject, by accepting military employment under a foreign Government, forfeits his right to British protection in the country into whose service he has entered, and this rule, it is considered, must equally apply to the case of a foreigner under British protection.

I am also to transmit copy of a note which has been addressed to the Danish Minister at this Court on this subject,* and to suggest that the Senior Naval Officer in Siamese waters should be informed by telegraph of the purport of this decision.

I am, &c.
(Signed) T. H. SANDERSON.

No. 165.

Captain Jones to the Earl of Rosebery.—(Received July 18.)

(Telegraphic.)

Bangkok, July 18, 1893.

THE French prisoner, Captain Thoreux, is expected to reach French territory to-morrow. He was already half-way to Bangkok when the French changed the place for his surrender. Hence the delay.

Tranquillity and confidence generally prevail.

No. 166.

Mr. Phipps to the Earl of Rosebery.—(Received July 19.)

(Telegraphic.)

Paris, July 19, 1893.

SIAMESE Government, it is stated authoritatively, were given last night forty-eight hours, at the expiration of which the demands of France are to be complied with.

No. 167.

Mr. Phipps to the Earl of Rosebery.—(Received July 19.)

(Telegraphic.)

Paris, July 19, 1893.

THE demands which are now to be immediately addressed by telegraph to Siam are as follows:—

1. Whole of left bank of River Mekong to be ceded.
2. In settlement of all claims, including compensation to sufferers from the firing on the 13th July, and for the destruction and plunder of "Say," &c., 3,000,000 fr. to be paid as an indemnity.
3. Officers responsible for the French ships being attacked and Groscurin's murderers to be punished.

The moderation of the demands of the French Government (which does not desire to disturb existing conditions in Siam, nor seek for territorial aggrandizement) is due to a wish to terminate the affair with rapidity.

Siamese Government are given forty-eight hours within which to comply, at the expiration of which delay, in event of non-compliance, French ships will leave Bangkok and a blockade of the Menam will be established.

Instant payment will not be pressed for, and on a pledge of the Battambang fisheries on the Grand Lac, or some such security being given, a month or more delay will be probably granted.

No. 168.

Mr. Phipps to the Earl of Rosebery.—(Received July 19.)

(Telegraphic.)

Paris, July 19, 1893.

SIAMESE Government had plenty of time to avert the unprovoked attack on the French ships on the 13th, because the French Government are in possession of certain proof that the Siamese knew at 10 in the morning that ships were not intended to ascend river.

No. 169.

Mr. Phipps to the Earl of Rosebery.—(Received July 20.)

(Extract.)

Paris, July 19, 1893.

I HAVE the honour to inclose the report from the "Journal Officiel" of the interpellation by M. Dreyfus on the Siamese question and of M. Develle's declaration in reply.

Inclosure in No. 169.

Extract from the "Journal Officiel" of July 19, 1893.

M. Jules Develle (Ministre des Affaires Étrangères).—Avant de donner à la Chambre les explications qu'elle attend de moi sur les faits qui ont motivé l'interpellation de l'honorable M. Dreyfus, je tiens à exposer en quelques mots quelle a été la politique suivie par le Gouvernement, dans ces derniers temps, à l'égard du Siam.

Vous n'avez pas oublié, Messieurs, quelles ont été les origines et la cause du conflit qui nous divise. A divers reprises on a rappelé à cette tribune nos justes griefs contre le Gouvernement Siamois, non seulement à raison des retards apportés à accorder à nos nationaux, victimes des vexations de ses agents, les réparations qui leur étaient dues, mais surtout à raison des empiètements successifs par lesquels il avait pris possession d'une partie des dépendances du Cambodge et de l'Annam.

A quelle époque remontent ces empiètements ? Je ne veux pas le rechercher ; il est malheureusement certain que le silence, l'inaction, je serais presque tenté de dire l'indifférence, si vous voulez

M. François Deloncle.—C'est malheureusement la vérité !

M. le Ministre des Affaires Étrangères.— dont on avait trop longtemps fait preuve avaient enhardi à ce point les Siamois que des postes avaient pu s'installer à 40 kilom. de Hué et que d'autres postes menaçaient de couper le Tonkin de l'Annam.

Messieurs, de semblables envahissements, une pareille invasion, mettaient en péril l'existence de pays qui sont soumis à notre Protectorat et que nous avons le devoir de défendre. Le Gouvernement ne pouvait les tolérer plus longtemps. (Très bien ! Très bien !)

Il a toujours déclaré qu'il pouvait revendiquer, qu'il avait le droit de revendiquer la rive gauche du Mékong comme la limite même de nos possessions d'Indo-Chine. L'honorable M. Delcassé l'avait déclaré devant vous à la séance du 5 Février dernier, et les applaudissements par lesquels vous aviez accueilli son langage si ferme, si énergique, nous avaient prouvé que le Parlement pensait comme nous qu'il était temps de mettre un terme à la violation de nos droits. (Très bien ! très bien !)

Messieurs, forts de votre assentiment et de votre confiance, nous avons résolu de reprendre la rive gauche du Mékong et de faire valoir nos droits dans cette région. Pour obtenir ce résultat, nous avions le choix entre deux politiques : l'une, qui pouvait paraître brillante, qui pouvait être glorieuse. Nous pouvions envoyer la flotte à Bangkok, adresser un ultimatum au Roi et exiger de lui qu'il donnât lui-même l'ordre aux postes Siamois de repasser sur la rive droite du fleuve.

Cette politique aurait, en cas de succès, procuré une solution rapide ; mais nous n'étions pas les maîtres d'en arrêter les conséquences.

Bangkok est une ville d'au moins 350,000 âmes, dont la population est composée des éléments les plus hétérogènes, d'habitants des nationalités les plus diverses ; une attaque contre Bangkok, de l'avis de tous ceux qui connaissent le pays, de nos marins, de nos diplomates, pouvait provoquer des émeutes, peut-être une révolution. Nous courrions ainsi le risque d'être amenés, pour rétablir l'ordre, à occuper la ville, peut-être même la région ; pour le faire, il fallait avoir à notre disposition des forces suffisantes, envoyer les troupes de renfort ; il fallait calculer les conséquences de cette aventure, consulter le Parlement ; c'est à vous, Messieurs, qu'il eût fallu demander des hommes et de l'argent.

D'un autre côté, cette agitation, une émeute, une révolution pouvait servir de prétexte à d'autres Puissances pour intervenir elles-mêmes en vue de défendre leurs nationaux. Dès lors, la crise était ouverte. Une attaque contre Bangkok mettait en question l'indépendance même du Siam. Cette indépendance, nous ne voulons pas y toucher, mais nous désirons, nous voulons qu'il n'y soit pas porté atteinte. (Très bien ! très bien !)

Voilà pourquoi nous n'avons pas envoyé la flotte à Bangkok.

Nous pouvions défendre nos droits d'une façon différente mais peut-être plus efficace. Nous avons invité le Gouverneur-Général de l'Indo-Chine à réunir les forces qu'il avait à sa disposition, à former des colonnes de tirailleurs Annamites, à les faire monter de Saïgon, descendre de Hué, à les diriger sur le Mékong avec ordre de refouler les postes Siamois qu'elles trouveraient devant elles. (Très bien ! très bien !)

Cette opération a été conduite, comme vous le savez, avec beaucoup de prudence et beaucoup d'habileté, avec un plein succès. Nous n'avons pas rencontré de résistance ; il n'y a pas eu, en quelque sorte, de conflit, et nous avons repris possession d'un territoire de près de 500 kilom.

Cependant, au cours de ces opérations, deux faits se sont produits, deux faits graves. Je les rappelle pour montrer quelle a été l'attitude du Gouvernement.

A Khône, les Siamois, qui avaient évacué l'île, ont essayé le lendemain de surprendre la garnison et ils se sont emparés du Capitaine Thoreux et de quelques Annamites qui escortaient un convoi.

Dès que j'en ai reçu la nouvelle, j'ai prié M. Pavie de faire savoir à la Cour de Siam que, si le Capitaine Thoreux et les Annamites ne nous étaient pas rendus, il avait ordre de quitter immédiatement Bangkok, et que nous aviserions. En même temps, j'ai fait prévenir le Ministre de Siam à Paris; je lui ai dit de faire savoir à son Gouvernement qu'il était indispensable que le Capitaine Thoreux fût remis entre nos mains, sans quoi il devrait s'approprier à quitter Paris immédiatement.

La Cour de Siam nous a donné à cet égard les assurances les plus formelles. Je dois reconnaître que le Capitaine Thoreux a été promené peut-être trop longtemps dans le Laos et dans le Siam (mouvements divers); cependant, si j'en crois certaines dépêches qui sont arrivées ces jours derniers, il a été remis aux autorités Françaises.

Mais alors un autre fait, non pas "prétendu ou probable," comme on l'a dit ailleurs (très bien!), mais malheureusement trop certain, s'est produit; un de nos Inspecteurs, M. Grosgrin, qui était malade, a été assassiné lâchement dans son lit; les miliciens de son escorte ont été massacrés, et par des ordres de qui? Par les ordres même du Mandarin Siamois qu'il avait été chargé de reconduire jusqu'à la frontière du Mékong, pour le protéger contre les populations qui voulaient tirer vengeance de ses exactions et de ses cruautés. (Mouvement.)

Ce fait, le Gouvernement de Siam n'a pas osé en contester l'atrocité. Il a demandé qu'on lui laissât le temps de prendre des renseignements, de faire une enquête, mais il a déclaré que, si le fait était exact, il était prêt à nous accorder une réparation complète.

A ce moment, pour obtenir les réparations que nous étions en droit d'exiger et pour régler la question du Mékong et aussi d'autres questions pendantes, nous avons pensé que l'heure était venue de placer le Siam en présence d'une mise en demeure formelle. Nous n'avons pas voulu traiter à Paris; nous avons marqué depuis trois mois que nous avions la volonté assez nette et assez ferme d'obtenir et d'exiger au besoin les satisfactions que nous jugions légitimes pour que la Cour de Bangkok fût avertie. Aussi avons-nous chargé un homme qui connaît bien l'Extrême-Orient, qui a été en relations avec la Cour de Siam, qui jouit à Bangkok et dans le Siam, comme dans toute l'Indo-Chine, d'une grande autorité, d'être le Représentant du Gouvernement Français et de faire valoir nos justes revendications.

M. Le Myre de Vilers a quitté Paris il y a eu Samedi huit jours. Un bateau devait aller le prendre à Singapour pour le conduire plus rapidement à Bangkok. Nous pouvions donc avoir l'espoir d'arriver prochainement à une solution définitive, lorsqu'ont eu lieu les événements du 13 Juillet dernier.

Comment ces faits se sont-ils produits, malgré toutes les précautions que nous avons prises pour les prévenir? Je vais le dire. Aussi bien, on me fait jouer dans toute cette affaire un rôle si étrange, on m'a prêté vis-à-vis du Gouvernement Anglais une attitude si humiliée, si docile, si indigne d'un Représentant de la France (vifs applaudissements) que je veux à cet égard m'expliquer complètement et sans réserve. (Parlez! Parlez!)

On s'est inquiété de savoir quels engagements j'avais pris vis-à-vis du Gouvernement Anglais; il ne m'en a pas demandé.

A Droite.—Il n'aurait plus manqué que cela!

M. le Ministre des Affaires Étrangères.—Au contraire, dès le 9 Mars dernier, Lord Rosebery a spontanément déclaré à M. Waddington qu'il avait reçu, la veille, la visite du Ministre de Siam à Londres, qui se plaignait des empiètements de la France sur le Mékong, et qu'il lui avait répondu qu'il n'avait pas à s'occuper de cette affaire.

Lord Dufferin m'a fait l'honneur de venir me voir au Quai d'Orsay, et il m'a fait très loyalement la déclaration suivante:—

"Je suis chargé par mon Gouvernement de vous dire que dans le conflit que vous avez avec le Siam pour vos frontières, vous ne trouverez en aucune façon l'Angleterre devant vous. (Ah! Très bien!)

J'ai remercié Lord Dufferin de sa communication en lui disant que la conduite de l'Angleterre était d'autant plus naturelle que nous n'avions nullement l'intention de menacer l'indépendance du Siam et que d'ailleurs nous prenions les mesures nécessaires pour assurer la sécurité de possessions pour lesquelles nous nous étions imposé de très grands sacrifices d'hommes et d'argent. (Très bien! très bien!)

A quelques temps de là, les journaux—ils ont peut-être quelque responsabilité

dans cette affaire—publièrent des informations qui inquiétèrent vivement l'opinion non seulement en Angleterre, mais en Allemagne, en Hollande, dans toute l'Europe, et qui étaient de nature à provoquer une émotion légitime chez tous ceux qui ont des amis ou des intérêts au Siam. On annonçait l'envoi d'une escadre à Bangkok, le bombardement ou l'attaque prochaine de la ville.

J'ai cru alors devoir dire au Ministre d'Angleterre comme au Ministre de Hollande: "N'ajoutez pas foi à ces bruits; je vous répète que nous n'avons pas l'intention de bombarder ou d'attaquer Bangkok et que si nous devons recourir à cette extrémité, vous seriez prévenus à temps de façon à pouvoir prendre les mesures nécessaires pour la protection de vos nationaux."

J'étais d'autant plus autorisé à tenir ce langage que, d'après les explications que je vous ai données tout à l'heure, une attaque sur Bangkok, devant entraîner l'envoi de renforts, nous obligeait à consulter le Parlement et à lui demander son assentiment et son concours.

Voilà quel a été le sens et la véritable portée du langage que j'ai tenu.

Et d'ailleurs nous n'avions pas plus à prendre les convenances du Gouvernement Anglais sur les mouvements de notre flotte que ce dernier n'avait à prendre les convenances de la France.

Est-ce qu'il l'a fait? N'ai-je pas appris seulement par les débats du Parlement Anglais l'envoi de canonnières Anglaises au Siam? C'est le 29 Juin que Sir Edward Grey, répondant à une interpellation, déclarait que le Gouvernement Anglais ignorait ce que la France faisait au Siam, mais qu'il fallait songer à la protection de ses nationaux et qu'il avait envoyé un bateau, qu'un autre allait partir et qu'un troisième était prêt à rejoindre les deux premiers. (Sourires.)

Lorsque je reçus cette nouvelle, j'adressai immédiatement la dépêche suivante à notre Chargé d'Affaires à Londres:—

"En présence des déclarations faites hier par Sir Edward Grey à la Chambre des Communes, il me paraît nécessaire que vous ayez le plus tôt possible une explication avec Lord Rosebery au sujet des affaires de Siam. Vous rappellerez à sa Seigneurie que nous nous sommes trouvés dans la nécessité de prendre des mesures pour arrêter les empiètements continus des Siamois au détriment de l'Annam et du Cambodge. Notre action d'ailleurs a gardé un caractère strictement pacifique.

"A la suite des injonctions qui leur ont été adressées par les Agents du Gouvernement du Protectorat, les Siamois ont évacué sans résistance la plupart des postes qu'ils avaient établis sur la rive gauche du Mékong. Mais, pendant que la Cour de Bangkok nous assurait de son désir d'arriver à une solution amiable des questions territoriales pendantes, le détachement Français installé dans l'Île de Khône était attaqué par des troupes Siamois et le Capitaine Thoreux emmené prisonnier.

"Enfin, tout récemment, le Mandarin Siamois de Kammon assassinait traîtreusement un de nos agents chargés de le reconduire au Mékong et de le protéger contre les populations de la rive gauche, et faisait massacrer les miliciens de l'escorte. Les démarches pressantes faites par notre Représentant à Bangkok pour obtenir réparation de ces actes, qui constituent la violation la plus grave du droit des gens, sont restées jusqu'à présent sans effet.

"En présence de cette situation, le Gouvernement de la Reine comprendra que nous ne saurions différer davantage, et que, si nous ne recevons pas satisfaction dans un court délai, nous nous trouverons dans la nécessité d'aviser aux mesures à prendre pour amener la Cour de Bangkok à faire droit à nos légitimes revendications.

"Il est malheureusement à craindre que le Siam ne voie dans les déclarations qui viennent d'être faites au Parlement Anglais, notamment en ce qui concerne l'envoi de bâtiments Anglais dans les eaux de Bangkok, un encouragement à persister dans sa résistance (très bien! très bien!) et que le Cabinet de Londres n'obtienne ainsi un résultat contraire à celui qu'il se propose. Vous ne dissimulerez pas à Lord Rosebery la surprise que nous a causée le langage tenu par Sir E. Grey alors que, d'après ses propres déclarations et celles de Lord Dufferin, nous étions autorisés à croire que le Gouvernement de la Reine entendait rester complètement étranger au différend survenu entre nous et le Siam." (Vifs applaudissements.)

Lord Rosebery persévérant, je m'empresse de le reconnaître, dans les dispositions qu'il avait manifestées dès la première heure, répondit que ces navires n'étaient nullement envoyés à Bangkok pour apporter leur concours au Gouvernement de Siam, qu'ils étaient simplement destinés à la protection des nationaux Anglais menacés par l'émeute. (Mouvements divers.)

M. Robert Mitchell.—Comme à Alexandrie! (Très bien! On rit.)

M. le Ministre des Affaires Étrangères.— Dans ces conditions, le Gouvernement

Français a pensé qu'il devait prendre une semblable mesure et qu'il importait d'augmenter nos forces devant Bangkok.

Le 8 Juillet j'adressais à M. Pavie la dépêche suivante :—

“Le Gouvernement Anglais ayant résolu d'envoyer plusieurs bâtiments de guerre à Bangkok, en vue de protéger ses nationaux, nous avons décidé de renforcer nos forces navales.

“Veuillez annoncer au Gouvernement Siamois l'arrivée de navires qui rejoindront le ‘Lutin,’ en précisant qu'il s'agit exclusivement d'une mesure identique aux dispositions dont l'Angleterre et d'autres pays ont pris l'initiative.” (Très bien ! très bien !)

Et, pour bien marquer nos intentions pacifiques, j'ajoutais :—

“Il est d'ailleurs entendu qu'on ne devra engager aucune hostilité sans qu'il nous en ait été référé, sauf le cas où nos bâtiments seraient attaqués et forcés ainsi de répondre au feu de l'ennemi.” (Très bien ! très bien !)

Quatre jours plus tard, le 12 Juillet, le Ministre des Affaires Étrangères du Siam fit savoir à M. Pavie que le Gouvernement Siamois ne pouvait autoriser l'entrée de nos navires dans le Mé-Nam ; que la présence d'un très grand nombre de vaisseaux de guerre dans le port de Bangkok inquiétait la population, et qu'il ne pouvait tolérer que la présence d'un navire par Puissance.

En même temps, le Ministre de Siam me faisait la même communication à Paris. Il ajoutait que les Anglais n'avaient qu'un navire devant Bangkok, que les autres navires n'avaient pas passé la barre, ce qui était exact, j'en avais la confirmation au même moment. Il me demandait de donner les mêmes instructions à nos bateaux, parce qu'il y avait des torpilles dans la rivière et qu'il importait d'éviter un conflit.

Messieurs, fallait-il passer outre ? Fallait-il, au moment où nous pouvions espérer qu'il serait possible d'obtenir un arrangement de nature à nous donner toute satisfaction, nous exposer à un conflit devant la ville même que nous n'avions pas voulu attaquer ?

Le Gouvernement ne l'a pas pensé. L'Amiral Humann, prévenu par M. Pavie, ne l'avait pas pensé davantage. Et alors, tout en réservant de la façon la plus formelle les droits que nous tenons du Traité de 1856, tout en déclarant que nous entendions nous en servir à notre heure et à notre convenance (Très bien ! très bien !), nous avons en même temps envoyé des instructions à nos navires en leur disant de ne pas passer la barre avant nouvel avis. (Mouvements divers.)

Les communications télégraphiques sont si irrégulières, si incertaines, si lentes avec Bangkok, que ces télégrammes ne sont pas arrivés à temps.

Et alors, vous savez ce qui a suivi : “l'Inconstant” et la “Comète,” qui étaient partis le 10 Juillet de Saïgon, sont arrivés le 13 au soir, sur la barre du Ménam ; ils ont été accueillis par le feu des forts et des navires Siamois. Ils ont, avec une audace et une intrépidité admirables, franchi les barrages et les torpilles et, ne pouvant pas s'arrêter à Paknam, ils ont été mouillés à Bangkok. (Nouveaux applaudissements.)

Cependant, le Gouvernement Siamois savait—M. Pavie le lui avait déclaré—dans quelles intentions pacifiques étaient envoyés nos navires ; il savait—le Ministre de Siam à Paris le lui avait télégraphié—que nous avions donné l'ordre à nos navires de ne pas dépasser la barre, et que par conséquent, si le soir ils pénétraient dans le fleuve, ils en sortiraient le matin ; il savait que le Traité de 1856 n'avait pas été dénoncé et qu'il l'obligeait à laisser monter nos bateaux jusqu'à Paknam. Et cependant il a donné l'ordre de recevoir nos navires à coups de canon, et cet ordre a été exécuté sans avis préalable ni sommation d'aucune sorte. (Mouvement.)

Dès lors, je n'ai pas à rechercher si les braves Commandants de nos navires auraient dû se préoccuper des avis donnés par le Ministre de France ou s'ils ne devaient pas exécuter les ordres qu'ils avaient reçus de leurs chefs, conformément au Traité de 1856. Je constate une chose, c'est qu'ils ont été, dans cette circonstance, victimes d'un odieux attentat, victimes d'une violation du droit des gens. (Applaudissements.)

Et ce n'est pas là le seul acte qui puisse provoquer notre indignation, car le lendemain, après cette funeste rencontre, un navire de commerce, un paquebot des Messageries Fluviales de Cochinchine, le “Jean-Baptiste-Say,” qui avait échoué la veille et qu'on venait de renflouer à grand-peine, a été mis à sac par la population de Bangkok pendant que son équipage était maltraité avec la dernière sauvagerie. (Exclamations.)

Voilà les faits. Je n'y insiste pas ; je ne veux y joindre aucun commentaire. Voilà la situation en face de laquelle nous nous trouvons. Quel devoir nous impose-t-elle ? Je vais vous le dire.

Les actes du Gouvernement Siamois ne nous permettent pas de patienter davantage. (Vifs applaudissements.)

Il faut que nous sachions dans un bref délai si nos légitimes revendications sont

acceptées par lui, s'il est prêt à réparer effectivement les dommages causés à nos nationaux et à nous donner satisfaction pour l'assassinat de M. Groscurin et la violation formelle du Traité de 1856. (Très bien ! très bien !)

C'est là le minimum (Très bien ! très bien !) que peut exiger la dignité de la France et qu'exigent aussi nos intérêts en Indo-Chine.

C'est la défense et la préservation de notre Empire Indo-Chinois qui a été le seul but de notre action vis-à-vis du Siam ; nous n'avons jamais voulu porter atteinte à son indépendance, mais nous avons le droit d'obtenir pour la sûreté et l'intégrité de nos possessions les garanties les plus complètes et la reconnaissance formelle de nos droits.

Si ces légitimes satisfactions ne nous étaient pas données, le Gouvernement devrait y pourvoir. Je veux croire, Messieurs, que vous aurez à cet égard pleine confiance dans notre prudence et notre fermeté. (Applaudissements prolongés sur tous les bancs.)

M. le Président.—J'ai reçu de MM. Deloncle et Camille Dreyfus l'ordre du jour suivant :—

“La Chambre, comptant que le Gouvernement prendra les mesures nécessaires pour faire reconnaître et respecter les droits de la France en Indo-Chine et exiger les garanties indispensables, passe à l'ordre du jour.”

M. Louis Jourdan.—Le Ministre des Affaires Étrangères vient de le dire ! Nous n'avons qu'à prendre acte des déclarations du Gouvernement !

M. le Président.—Je ne suis saisi que d'un seul ordre du jour.

M. le Ministre des Affaires Étrangères.—Cet ordre du jour est accepté par le Gouvernement.

M. le Président.—Je mets aux voix l'ordre du jour dont je viens de donner lecture et qui est accepté par le Gouvernement.

(L'ordre du jour, mis aux voix, est adopté.)

Sur divers bancs.—A l'unanimité ! Il faut que “l'Officiel” constate que le vote a été unanime.

No. 170.

The Earl of Rosebery to Mr. Phipps.

(Telegraphic.)

Foreign Office, July 20, 1893.

YOUR telegram of yesterday, containing the terms of the French ultimatum to Siam, has been received.

The first Article is ambiguous, unless some definition is given as to the extent to which the left bank of the Mekong is being claimed by the French, and I should be glad if you could obtain information from M. Develle on this point.

No. 171.

Mr. Phipps to the Earl of Rosebery.—(Received July 20.)

(Telegraphic.)

Paris, July 20, 1893.

THE ultimatum addressed to the Siamese Government was sent last night at 7 P.M.

The Minister of Foreign Affairs was unable to define how far northwards the cession of the left bank of the Mekong would extend. That river is simply regarded as the proper natural frontier, as regards Siam, of French possessions ; but the question is one open for discussion with Her Majesty's Government as far as British rights are concerned.

Whilst his Excellency's language was most conciliatory, he said he could not positively take engagements on a geographical question with which at the moment he was not conversant.

On examining the map with me, he was unable to specify how far from Xieng Khong other rights would be interfered with ; but he will consult the Colonial Office.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 20, 1893.

HER Majesty's Government learn from Paris that the ultimatum which the French Government have presented to that of Siam, and which has to be accepted within forty-eight hours, is as follows:—

1. Entire left bank of Mekong to be ceded.
2. Payment of an indemnity 3,000,000 fr. as compensation for attack on French ships, for pillage of merchant steamer, and in satisfaction of other claims of French citizens.
3. Punishment of those guilty of the murder of M. Groscurin, and of the attack on French ships.

Her Majesty's Government are making inquiries as to the real import of Article 1, which is the only one which concerns this country.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, July 20, 1893.

IN view of recent events in Siam, and the ultimatum which has been presented by the French Government to the Court of Bangkok, it appears desirable that you should without delay return to Paris to exchange views with the French Ministry regarding certain points in that ultimatum, which appear to require elucidation.

We do not conceive that any part of that document calls for comment on the part of Her Majesty's Government, except that which relates to territorial concessions. The only information we have as to that Article imports that the French require that the left bank of the Mekong shall be ceded to France. With regard to this two considerations arise. Firstly, we cannot doubt that the term "left bank" is far too comprehensive in its scope. It cannot of course apply to any districts east of the Mekong River, which the Siamese Government have no power to cede, whether from rights of sovereignty, suzerainty, or reversion possessed by other Powers. And secondly, we are confident that the expression "left bank of the Mekong" is used subject to the assurances repeatedly given by the French Government that they would respect the independence and integrity of the Kingdom of Siam. It is clear that any provinces which indisputably form part of that Monarchy could not properly be made the subject of any such demands by the French Government.

On these points, therefore, it would be well that you should have a full and friendly discussion with the Minister for Foreign Affairs, laying stress upon the limits which the considerations I have described appear to impose on the territorial rearrangement indicated by the ultimatum.

In this interchange of views your Excellency will not lose sight of the extreme importance in the interests of both countries of preserving a considerable belt of territory under the control of an independent kingdom between the French and British frontiers.

In requesting your Excellency to return to Paris for this purpose, I am not moved by any wish to supersede Mr. C. Phipps, to whose active services during an arduous and difficult period I have pleasure in testifying, but I have felt that, in a situation of delicacy like the present, your Lordship's authority as Ambassador, as well as your thorough knowledge of this subject from having occupied the high post of Viceroy of India at the time of the annexation of Burmah, should be made available.

From telegrams which have been recently communicated to me by the Siamese Minister here, I gather that his Government would be disposed to accept any advice that may be offered by Her Majesty's Government at this juncture. Should the question of territory be satisfactorily and definitely settled, Her Majesty's Government would be prepared to press generally on the Court of Bangkok the expediency of prompt compliance with the French demands.

I am, &c.

(Signed) ROSEBERY.

Captain Jones to the Earl of Rosebery.—(Received July 21.)

(Telegraphic.) *Bangkok, July 20, 1893.*

THE following ultimatum, which has to be accepted in forty-eight hours, has been presented by the French to the Siamese Government:—

1. Recognition of the rights of Cambodia and Annam to left bank of River Mekong and the islands.

2. The Siamese shall evacuate, within one month's time, any posts which are there held by them.

3. Satisfaction for the various acts of aggression against French ships and sailors in the River Menam and against French subjects in Siam.

4. Pecuniary indemnities to the families of the victims and punishment of the culprits.

5. For various damages inflicted on French subjects indemnities of 2,000,000 fr.

6. As a guarantee for the claims under clauses 4 and 5 the sum of 3,000,000 fr. in dollars shall be at once deposited, or, in default, the farming of the taxes of Siemrep and Battambang shall be assigned to the French.

In the event of the non-acceptance of these terms the French Minister will leave Bangkok and the blockade of the coast will at once take place.

The Siamese Minister for Foreign Affairs, in view of the French demands for immediate surrender of the country to the east of the Mekong, calls the attention of Her Majesty's Government to conditions on which Kiang Chiang was transferred to Siam.

Mr. Phipps to the Earl of Rosebery.—(Received July 21.)

(Telegraphic.) *Paris, July 21, 1893.*

FIRST article of ultimatum is formally explained by Minister of Foreign Affairs as follows:—

Siam has been called upon by the French Government to recognize Annamite and Cambodian rights on the left bank of the Mekong, the islands included. Such demand being addressed to the Siamese alone.

Whenever desired, however, French Government is prepared to resume discussions commenced in 1892 and in February of this year, with Her Majesty's Government respecting the rights of Great Britain, and any questions concerning a neutral zone which may interest the two nations.

Rights of third parties will be scrupulously respected by France.

Borneo Company to the Earl of Rosebery.—(Received July 21.)

My Lord, *28, Fenchurch Street, London, July 21, 1893.*

I HAVE the honour to hand you copies of two telegrams we have received from our Manager in Bangkok to-day, dated respectively 9.20 A.M. and 6.25 P.M.:—

“9.20 A.M.

“Prospects bad. Siamese Government continue obstinate. Have reason to expect fighting.”

“6.25 P.M.

“You may expect fighting unless British Government will use their influence to prevent. Our opinion is that this is the only chance to avoid it.”

I have, &c.

(Signed) AND. CURRIE,
Secretary of the Borneo Company (Limited).

No. 177.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 21, 1893.

WE have commenced negotiations at Paris with a view to obtaining a satisfactory settlement respecting the limits of the cession of territory demanded by France from Siam.

It would be fatal to the Siamese Government to take any rash action at the present juncture.

No. 178.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 21, 1893.

THE Borneo Company have received the following telegrams from their representative at Bangkok :—

“Prospects bad. Siamese Government continue obstinate. I have reason to expect fighting.”

“You may expect fighting unless British Government will use their influence to prevent. Our opinion is that this is the only chance to avoid it.”

Her Majesty's Minister at Bangkok has been instructed to dissuade the Siamese Government from any rash action pending negotiation as to the limits of the territorial cession demanded by France.

No. 179.

Captain Jones to the Earl of Rosebery.—(Received July 22.)

(Telegraphic.)

Bangkok, July 22, 1893.

OWING to the harsh pressure of circumstances, the Siamese Government find themselves forced to submit to the conditions imposed by France; but with regard to the territory claimed on the Mekong, they ask for more definite details.

I will telegraph particulars to your Lordship directly they are known.

No. 180.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 23, 1893.

I HAVE received your Excellency's telegram of the 22nd instant,* reporting the substance of your conversation with M. Develle on the Franco-Siamese crisis. The impression I have derived from it on the whole is favourable; but the line now taken by the French in saying that they will only claim territory actually in the possession of Siam offers a strange commentary on their promises to us that they would respect the integrity of Siam.

The line of argument taken by your Excellency appears to me excellent throughout, especially where you warned M. Develle against listening to experts, who are frequently ready to risk embroiling the whole world for the possession of a worthless morass. Modifications cannot, it is true, now be made in the ultimatum, which has been published in the newspapers. It is, however, necessarily subject to the declarations previously made by the French Government as to the preservation of the independence

* See No. 185.

of Siam, the maintenance of which no less affects their honour than does the maintenance of the ultimatum. These declarations are looked on by Her Majesty's Government as forming the authoritative and precedent materials for the interpretation to be placed on the terms of the ultimatum.

No. 181.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 23, 1893.

ACCORDING to the latest information in our possession, 87 per cent. of the whole shipping trade at Bangkok as regards tonnage, and 93 per cent. as regards the value of cargoes, is British.

This may, to use M. Develle's expression, be the accident of the situation, but it is one which very naturally carries much weight in this country, and would have even more weight, in the event of the French declaring a blockade of the Siamese coasts.

No. 182.

Captain Jones to the Earl of Rosebery.—(Received July 23, 5 P.M.)

(Telegraphic.)

Bangkok, July 23, 1893.

THE following is the reply returned by Siam to the French ultimatum:—

1. The King of Siam declares that no explicit definition has as yet ever been made to the Siamese Government as to what constitutes the rights of Cambodia and Annam on the Mekong. But as His Majesty is anxious at once to secure peace and security for his people, he agrees to cede to France the country lying to the south of the 18th parallel of latitude and to the east of the Mekong.

2. The withdrawal of all Siamese posts within the above-mentioned territory to take place forthwith.

3. The loss of life which has occurred in the recent actions between the French and the Siamese forces is regretted by the King, and the satisfaction required by France will be given in accordance with ordinary justice and the independence of Siam which the French Government affect to respect.

4. Those found guilty of illegal aggression will receive condign punishment, and the sufferers will receive due reparation.

5. The King agrees to pay the indemnity demanded on account of the claims advanced by French subjects, although the justice of many of them has been denied by the Siamese. His Majesty, however, suggests that a Joint Commission should first investigate these claims.

6. The sum of 3,000,000 fr. required as guarantee will be deposited, concurrently with the exchange of notes between the Representatives of France and Siam. After the equitable adjustment of all reasonable claims, the King trusts that French justice will restore to Siam any sum which may remain over.

This compliance with the demands of France will, the King trusts, be looked upon as a proof of his sincere desire to live with the French Republic on terms of friendship.

No. 183.

Captain Jones to the Earl of Rosebery.—(Received July 23.)

(Telegraphic.)

Bangkok, July 23, 1893.

THE Siamese concessions on the River Mekong have apparently failed to satisfy the French Minister at Bangkok, but the state of the tide will, in any case, preclude his leaving this place before the 26th instant. A French corvette will relieve the gun-boat "Lion" here.

Captain Jones to the Earl of Rosebery.—(Received July 23.)

(Telegraphic.)

Bangkok, July 23, 1893.

AS the Siamese reply to the French ultimatum refuses the concession of a considerable portion of the left bank of the River Mekong, the French Minister has notified to the Siamese Government that he will leave Bangkok on the 26th instant. The French gun-boats leave immediately, and the protection of French subjects and interests will be confided to the care of the Dutch Representative.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 24.)*

(Extract.)

Paris, July 23, 1893.

I NOW proceed to report to your Lordship the substance of the conversation I had yesterday with M. Develle on the affairs of Siam.

I had informed his Excellency early in the morning of my arrival in Paris, and he had appointed 6 o'clock in the afternoon for our interview. Perhaps this late hour was named in order to give time for the arrival of the Siamese reply to the French ultimatum before M. Develle saw me, but it had not reached his hands when I presented myself at the Foreign Office.

After a short preliminary conversation, I informed M. Develle that I had been sent with instructions to enter upon a friendly interchange of ideas with him in reference to the Siamese question, and more especially with regard to the interpretation which the French Government intended to place upon the first Article of their ultimatum, namely, the demand that Siam should recognize "the left bank of the Mekong" as the western boundary of the French possessions in Indo-China. I then communicated to his Excellency in very exact and careful language the entire substance of your Lordship's instructions to me as contained in your despatch of the 20th July, and I insisted at some length on the various considerations which had induced your Lordship to suppose that in using the term "the left bank of the Mekong" his Excellency could not have intended to claim for France the immense tracts of Siamese territory extending not to the east, and abutting upon Annam, but to the northwards of the Upper Mekong, and conterminous with China, not to mention the districts lying beyond which had been incorporated with Her Majesty's Empire of India after the conquest of Burmah.

M. Develle replied that as it was with Siam, and with Siam alone, that France was dealing, there could be no question of her laying claim to any territory outside the Kingdom of Siam, no matter how situated, and he incidentally gave me the further assurance that there was no truth in the report that his Government had any intention of taking possession of the Siamese Provinces of Battambang and Angkor.

I then produced a map which I had brought with me, and, pointing out the way in which the Mekong makes a sudden bend just above the 18th parallel of latitude to the southward and westward, and the subsequent bend in the same direction at the 20th parallel, I asked M. Develle whether the extensive territories at these points between the Mekong and the actual French boundary depicted upon the existing French maps, comprising the Principality of Luang Prabang and other districts, were also claimed by France as lying on "the left bank of the Mekong." M. Develle said that they were intended to be included under that definition, and that France claimed a right to Luang Prabang and the adjacent countries as being ancient and historic dependencies of Annam; and that furthermore she had always insisted that her territorial sovereignty extended all along the left bank of the Mekong. I ventured to express my extreme surprise at this latter statement, and I called M. Develle's attention to the fact that on several occasions M. Waddington, in his communications with the Marquis of Salisbury, had, in the most explicit terms, repudiated any such pretensions on behalf of his Government.

On the 3rd April, 1889, in reference to a proposal for the neutralization of Siam, M. Waddington had observed that it would be necessary in the first instance that the frontiers between Cochin China and Siam should be fixed. "As regarded the frontier of Cochin China, the French Government did not wish to extend it to Luang Prabang,

* Substance telegraphed.

but they would propose to draw a line from a point nearly due east of that place southwards to the Mekong, and below that point to make the river the dividing line between the two countries until it entered the territory of Cambodia." Again, on the 16th February, 1892, M. Waddington told Lord Salisbury "that he did not propose that either Power should recognize the other as advancing as far as the banks of the Mekong, but only the negative engagement that they should not cross the river." On the 10th May of the same year M. Waddington observed to Lord Salisbury "that he did not contend that the present sphere of influence either of France or of Great Britain should be extended up to the Mekong. His proposal was not the assertion of present rights, but merely as a prophylactic." I further remarked that even if France had persistently advanced such a claim as M. Develle had supposed, which certainly she had not done through any authoritative channel, a claim by no means proved a right, and that many claims advanced both by nations and by individuals had been found on examination to be unsubstantial and unjust.

I then recurred to the proposed absorption by France of Luang Prabang and the adjacent districts, an area comprising nearly 100,000 square miles, which had been universally recognized for years past as integral parts of the Siamese Kingdom, and I recalled M. Develle's attention to that part of your Lordship's instructions in which you desire me to insist on the incompatibility of the confiscation by France of so considerable a proportion of the Kingdom of Siam with M. Develle's and the French Government's previous assurances that they had no intention to allow their disputes with Siam on the Lower Mekong to entail any measures which would jeopardize her integrity or her independence. How could these professions, I asked, which I knew had been made in perfect sincerity, be reconciled with the slicing off of what amounted to nearly a third of the kingdom?

M. Develle listened to me with his usual courtesy and attention, and it was impossible not to feel that he was giving a very anxious consideration to my arguments. He seemed particularly struck with what I had told him about M. Waddington's communications to Lord Salisbury on the subject.

I then proceeded to touch upon another aspect of the question. I said that our two Governments were pretty well agreed upon one very important point, namely, that it was desirable that France and England should not become limitrophe in Asia, and that Siam as an independent State should be left as a buffer between them. Again referring to the map, I pointed out that were France to take possession of the left bank of the Upper Mekong, it would bring her into direct contiguity with Burmah, in consequence of the two rapid bends which the Northern Mekong takes to the westward, and that the approach of a great military Power like France to a frontier at present lying naked to attack could not be regarded by us with indifference, even if the previous considerations I had submitted to him were for the moment to be left out of account. And in this connection I called M. Develle's attention to the fact that in our recent cession to Siam of a Shan State which had hitherto been subject to Burmah, we had expressly stipulated that it should never be allowed to pass under the jurisdiction of another Power, and that, consequently, we ourselves possessed a reversionary interest in this portion of Siamese territory "which was situated on the left bank of the Mekong."

Although there are some further considerations which it may be desirable to submit to M. Develle, I thought that I had said enough for the present, and I therefore concluded by impressing upon him in as earnest terms as I could command the extreme gravity which the situation might assume were the French demands to be pressed upon Siam beyond what was just and reasonable, and in conformity with the legitimate interests of other Powers. Was it worth while, I asked, for the sake of a violent acquisition of territory to which France herself must know she had no legal right, to risk such grave complications as must inevitably arise were the claim to the left bank of the Mekong to be interpreted in an unrestricted and literal sense? But I said that if I rightly understood the terms of the first Article of the ultimatum as verbally communicated to Mr. Phipps (for we had never received a copy of it), it had itself contained some sort of qualification in a geographical reference to Cambodia and Annam. In any event, M. Develle could not have failed to understand that, although at the outset of the dispute the English Government had considered the misunderstanding between France and her Siamese neighbour in regard to obscure questions of delimitation on the Lower Mekong as beyond their purview, the situation was entirely changed when the expanding claims of the French Government jeopardized the integrity of the entire Kingdom of Siam, brought France nearly half-way down to Bangkok, and into actual juxtaposition with ourselves and Burmah. Such a transformation of the French pretensions was

undoubtedly calculated to excite alarm in England, and the most serious apprehensions in the mind of Her Majesty's Government.

After again listening with the most courteous attention to this further exposition of our views, M. Develle observed that the terms of the first Article of his ultimatum having been published to the world, and all France being acquainted with them, he could not now alter them, especially under manifest pressure from us. Public opinion in France was equally excited. The Siamese had been guilty of various outrages, and had committed considerable wrongs on French subjects. They had fired upon French ships of war, and we must not be surprised at France pursuing a line of conduct which England herself would have adopted in similar circumstances. But he himself was quite ready to recognize the force of my observations in regard to the necessity of leaving a "buffer" between the Asiatic possessions of France and England, and thus leave a door open for future negotiations. I thought it prudent to ask his Excellency to give me an assurance that an acceptance on the part of the Siamese of the first Article of the ultimatum should not militate against a settlement of this part of the question in the sense desired by us. He was good enough formally to promise that it should not, inasmuch as it referred to a different order of idea, and was a matter of joint interest to Great Britain and to France. In any event, he added, he must consult his experts. This observation filled me, I confess, with considerable misgivings. Of course I could raise no objection to such a course, but in as courteous a manner as was possible I ventured to observe that subordinates in a public office were often fanatically anxious about special points, and were prone to sacrifice the larger interests of their country in pursuit of their own narrower preoccupations, and that it was his Excellency who was responsible for the peace of Europe and the world, about which these experts generally cared but little.

Before taking my leave I asked M. Develle what course he proposed to pursue in the event of the Siamese rejecting his ultimatum. He said that in that case the French Representative would embark on board one of the Government ships now anchored before Bangkok, and that the French squadron would then retire outside the mouth of the Menam, with the view, as I understood, of instituting a blockade. On this I observed that such a blockade would be like riding another man's horse with one's own spurs; that it would greatly injure German and English interests (it is stated that the trade of England with Siam amounts to more than 2,500,000*l.*, or 80 per cent. of the whole tonnage), while it would not in the least touch French commerce. For this result M. Develle said there was no help. It was merely an accident of the situation.

Our conversation lasted an hour and a-half, and I need not say that it was conducted on either side in the most courteous and friendly spirit, as persons talk who are equally desirous of finding a solution to a difficulty, and are aware that their failing to do so might entail serious consequences.

No. 186.

Captain Jones to the Earl of Rosebery.—(Received July 24.)

(Telegraphic.)

THE French Minister has just hauled down his flag.

Bangkok, July 24, 1893.

No. 187.

M. de Bille to the Earl of Rosebery.—(Received July 25.)

M. le Comte,

Légation de Danemark, Londres, le 24 Juillet, 1893.

APRÈS avoir communiqué au Gouvernement du Roi la réponse que votre Excellence a bien voulu me faire par une note du 18 courant en égard à la protection des sujets Danois en Siam, je suis chargé d'exprimer à votre Excellence la gratitude de mon Gouvernement pour l'empressement que vous avez mis à vous rendre à son désir et à donner les ordres nécessaires aux Représentants de Sa Majesté la Reine à Bangkok pour que leur protection soit accordée aux sujets du Roi à Siam à moins que ceux-ci ne se trouvent au service militaire de ce royaume. Le Gouvernement du Roi partage l'opinion de votre Excellence, d'après laquelle un sujet Danois en prenant service Siamois perd ses droits à la protection nationale.

Veuillez, &c.
(Signé) F. BILLE.

(Translation.)

My Lord,

Danish Legation, July 24, 1893.

HAVING communicated to His Majesty's Government the reply which your Excellency was good enough to make to me in a note of the 18th instant with regard to the protection of Danish subjects in Siam, I am instructed to express to your Excellency the gratitude of my Government for the promptitude with which you complied with their wishes and gave the necessary instructions to Her Majesty's Representatives at Bangkok to extend their protection to the King's subjects in Siam, unless they are in the military service of that kingdom. Her Majesty's Government concurs in your Excellency's opinion that a Danish subject entering the Siamese service loses his right to the protection of his nation.

I have, &c.
(Signed) F. BILLE.

No. 188.

Petition from Merchants, Bankers, and Ship-owners to the Earl of Rosebery.—(Received July 25.)

My Lord,

1, Whittington Avenue, London, July 24, 1893.

WE, the undersigned merchants, bankers, and ship-owners interested in the trade of Siam, desire to address your Lordship on the subject of the effect on the interests which we represent of the action that it is reported that France is taking against the Siamese Government.

In the first place, the immense territorial concessions demanded from Siam by the French Government must necessarily threaten the independence of the Siamese Government, and weaken its control over its other outlying possessions.

And, secondly, if these concessions are insisted upon, the area open to other foreign trade than that of France will be greatly restricted.

Further, the effect of the blockade of the coast of Siam will not be more injurious to the Government and people of Siam itself than it will be to British trade and shipping.

It will also seriously imperil the food supplies of the Straits Settlements and of Hong Kong, and of all the other countries that usually draw their supplies largely from these centres.

In fact, a continuance of the blockade might mean famine among the Asiatic population of Her Majesty's Eastern possessions.

We have, &c.
(For the Straits Settlements Association),
(Signed) WM. PATERSON, *Chairman.*
(And 27 other Firms.)

No. 189.

Captain Jones to the Earl of Rosebery.—(Received July 25.)

(Telegraphic.)

Bangkok, July 25, 1893.

I HAVE the honour to inform your Lordship that M. Pavie will leave Bangkok in the course of this afternoon, and it is probable that an immediate declaration will be made of a blockade by the French ships.

If it is determined that this blockade shall be established reasonable notice should be given, as British trade alone will suffer by it.

No. 190.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, July 25, 1893.

THE French Chargé d'Affaires called upon me this morning at my request, as he had sent me at a very late hour last night a notice that his Government intended to declare a blockade of the Menam River. M. d'Estournelles explained that it was not an

official notification, but only a communication of the intention of the French Government to establish a blockade.

This, I said, imposed upon me the duty of making two inquiries. The first was, what arrangements would be made for giving notice to neutral commerce in the port of Bangkok? And, secondly, what facilities would be given for victualling our ships of war lying off the city for the protection of British subjects and property?

M. d'Estournelles took note of my inquiries, and then fell into more general conversation on the aspects of the present situation in Siam. He was convinced the questions at issue could be settled between M. Develle and myself without difficulty, but he did not disguise that his correspondence with Paris disclosed a state of opinion in France of a most alarming character. Every one in France was convinced, to speak frankly, that the British ships had been ordered to Bangkok to encourage Siam in her resistance, and that our Minister there, with or without authority, had given advice to the Siamese Government in that direction.

I answered that I could not admit either statement; that the universal demand of the mercantile community made it impossible for me not to send ships to Bangkok for the protection of British life and property, and that, as a matter of fact, I had offered to keep our ships outside the bar. With regard to Captain Jones, I had repeatedly telegraphed, cautioning him against the slightest interference with Siamese affairs, except in the direction of my own advice, which was to come to terms with France as quickly as possible, and he solemnly assured me that he had literally obeyed my injunctions. Our policy, I continued, had all along been to rely on French promises, and I regretted to say that, no doubt under the force of circumstances, these had not been fulfilled. What I saw was that we were moving fast towards a most dangerous and critical position. There was, however, one point in this controversy respecting which our interests were clear and definite. We could not have a conterminous frontier with France in Burmah. That would involve vast expenditure on both sides, and lines of armed posts garrisoned by European troops.

M. d'Estournelles appeared to agree, and brought forward a series of personal suggestions, to the following effect:—

1. There should be a reciprocal engagement by France and England not to cross the Upper Mekong.

2. In order to avoid contact, it might be agreed that the British posts should remain to the west of the water-parting between the Salween and the Mekong, and the French posts to the east of the water-parting between the Nam Ou and the Mekong. The populations situated between the Salween and the Nam Ou to remain *in statu quo*.

3. As regards Luang Prabang, the French claim would not be advanced beyond the left bank of the Mekong.

I thanked M. d'Estournelles for the suggestions which, I said, might possibly form a basis for negotiation. But I could in no way pledge myself with regard to them. In any case, you were intrusted with the conduct of the negotiation, and if the proposals recommended themselves to M. Develle, it would be advisable for him to mention them to your Excellency.

I am, &c.
(Signed) ROSEBERY.

No. 191.

Borneo Company to the Earl of Rosebery.—(Received July 26.)

My Lord,

28, Fenchurch Street, London, July 26, 1893.

THE statement made in the House of Commons last night by Sir Edward Grey, that verbal notice had been received of an intention on the part of the French Government to establish a blockade of the coast of Siam, causes us great anxiety.

At the moment we are loading outside the bar of the Menam River an Italian vessel, the "Savoia." At yesterday's date a telegram advises us that she has 1,300 tons of rice on board, and presumably our firm is urging on the loading as fast as possible.

We are therefore desirous of knowing, if possible, when we must cease loading and get the ship away to avoid the consequences of the blockade.

The cargo is for the United Kingdom or Continent, and we further desire to know if this fact would not preclude seizure, as, being bound to a neutral port, her cargo cannot be considered contraband of war.

We further have a Norwegian ship, "Emilie Marie," loading teak in the river at

the town of Bangkok, and we should be glad to know what her position will be as to getting out when loaded.

I have, &c.
(Signed) AND. CURRIE,
Secretary of the Borneo Company (Limited).

No. 192.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 27.)

My Lord, *Paris, July 25, 1893.*
AT my interview with M. Develle on Saturday afternoon I took the opportunity of a reference he made to his speech in the Chamber on the Siamese question on the 18th July to call his attention to the fact that he had described me as having formally announced to him, "on behalf of Her Majesty's Government," that England had no intention of intervening in the delimitation dispute which had then begun between the Siamese and the French in the neighbourhood of the Mekong River. As a matter of fact, I had never been instructed by Her Majesty's Government to make any communication to him on that subject, nor had I done so in their name; but I certainly did remember mentioning during the course of a very casual conversation that, as far as I could judge, the English Foreign Office was inclined to consider the delimitation squabble on the Lower Mekong, in its then phase, as beyond our purview. The remark was made in order to emphasize the predominance of our interests on the Upper Mekong. The matter, I added, was now of no practical importance, and I merely alluded to it in the interests of historical accuracy.

I have, &c.
(Signed) DUFFERIN AND AVA.

No. 193.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 27.)

My Lord, *Paris, July 26, 1893.*
AT my request Mr. Phipps called this afternoon at the Foreign Office in order to obtain, if possible, further information in regard to the blockade of the Siamese coast. He was informed that as yet no information was available as to the precise date on which it would be enforced, or as to its geographical extension, and that the arrival on the spot of Admiral Humann must be awaited. He was further assured that sufficient time would, according to custom, be afforded for the departure of such ships as might have loaded their cargoes previous to the date of the enforcement of the blockade, and that the earliest possible information on all these points would be conveyed to Her Majesty's Government.

I have the honour to inclose an extract from the "Temps" of this evening relative to this subject.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 193.

Extract from the "Temps" of July 27, 1893.

COMME nous l'a télégraphié hier notre correspondant de Saïgon, l'Amiral Humann est parti pour le Golfe de Siam avec la "Triomphante," l'"Alouette," la "Vipère," et quelques torpilleurs. Il rejoindra demain au plus tôt le "Forfait," qui était déjà sur le banc du Ménam, et les trois navires qui ont quitté Bangkok.

On a parlé des limites dans lesquelles le blocus devait s'effectuer. Nous croyons que rien n'a été décidé à cet égard et que c'est l'Amiral Humann qui déterminera sur place les points extrêmes dans lesquels tout mouvement maritime sera interdit. L'étendue de la côte mis en état de blocus peut effectivement s'étendre de manière à comprendre, en dehors du Ménam, les embouchures des Rivières Tachin et de Pack-Kong, qui communiquent avec le Ménam par des canaux intérieurs.

Dans ces conditions, il se peut que l'Amiral Humann effectue le blocus de l'embouchure du Tachin à celle du Pack-Kong, soit sur toute l'étendue de la partie septentrionale du Golfe de Siam, ce qui représente une centaine de kilomètres de côtes.

C'est également le Commandant de nos forces navales qui déterminera le mouillage dans lequel les navires bloqueurs viendront refaire leurs approvisionnements, la rade de Saïgon étant trop éloignée du théâtre des opérations. Il existe dans le Golfe de Siam, plusieurs mouillages de valeur bien différente. Il y a d'abord, sur la côte du Cambodge, le mouillage de la presqu'île Samit, dans la baie de Kempong-Song et dont les abords viennent d'être réoccupés par des forces Françaises. Puis en remontant vers Bangkok, on trouve le mouillage des Îles Cokut et Cochang, celui de l'Île Co-Samit, enfin celui de l'Île Co-Sichang, un des meilleurs et le plus rapproché de l'embouchure du Ménam.

Il est évident que le choix du mouillage est subordonné à des considérations d'ordre divers dont l'Amiral Humann et le Gouvernement devront apprécier la valeur.

No. 194.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 27.)

(Extract.)

Paris, July 26, 1893.

I HAVE now to report the result of my second interview with M. Develle.

The conversation began on M. Develle's part with a very bitter diatribe against the form in which the reply to the French ultimatum had been drawn by the Siamese. I observed, in reply, that the Siamese were not well versed in the refined language of European diplomacy, and that practically they had acquiesced in all the demands of France, except in respect of a portion of the 1st Article. M. Develle did not exactly deny this, but complained, amongst other things, of their insisting that whatever part of the money exacted was left over after satisfying the claims of individual Frenchmen should be handed back, to which I answered that, after all, the person who pocketed the cash might very well overlook a little ill-humour upon the part of the person who had to pay up.

We then proceeded to renew our discussion on the main question, during the course of which we went over a good deal of the ground which we had covered at our interview on Saturday, M. Develle still maintaining his two previous theses: first, that Luang Prabang was an actual dependency of Annam; and, secondly, that France *ab antiquo* had vindicated her right to the left bank of the Mekong. Upon my part, I urged that to adduce Annam's historical claim to Luang Prabang was a dangerous line of argument, for we might on almost equally tangible grounds demand the retrocession of Normandy, Gascony, and Guienne. M. Develle knew as well as I did that in every French Annuaire, in every French map, in every French Geographical Gazetteer, Luang Prabang, until a year ago, had been described as an integral part of Siam. It was true that within the last twelve months a mysterious revolution had occurred in the minds of French geographical authorities, but as an honest man he must be as convinced as I was, that the district in question was and had been for nearly a century *bonâ fide* Siamese territory, and that it could not be confiscated by France without a flagrant infringement of the formal assurances he had given us not to impair the integrity of Siam. As for the pretension advanced by France *ab antiquo* to the left bank of the Mekong, such a supposition was not only contradicted by M. Waddington's express declarations on the subject, but by the further fact, that under the Franco-Siamese Convention of 1886 the French had claimed the right of sending a Vice-Consul to Luang Prabang. This in itself was an absolute proof that the locality belonged to Siam. M. Develle objected that the Convention in question had been refused ratification by the French Chambers. That, I said, did not in any degree affect my contention. The draft Convention distinctly showed in what light Luang Prabang was at that time regarded by the French Government.

M. Develle then proceeded to reinforce his previous arguments by various other considerations, amongst them that the tribes on the western borders of Tonquin had been lately giving a good deal of trouble, and that it was necessary therefore that they should be subjected to French authority, and he endeavoured to minimize the character of the contemplated annexation.

At this point M. Develle put up the shutters on this compartment by saying that, the ultimatum having once been published to France and to Siam, it was impossible for the Government, in the excited state of public opinion, to withdraw or modify it.

After expressing my great regret at so untoward an intimation in regard to the ultimatum, which I could not help thinking had been launched somewhat "à la légère,"

I suggested to M. Develle that we should proceed to a discussion of the further aspect of the question, namely, as it affected English interests apart from those of Siam, and I again reminded him that it was quite out of the question that we should accept an arrangement which made France conterminous with our Indian Empire. France herself had always advocated the policy of introducing an independent State as a "buffer" between the two countries, and it was evident that it was for the advantage of both France and England that a neutral territory should intervene between them. To this M. Develle cordially assented. He said that he fully recognized our right to intervene in the Franco-Siamese question on these grounds, and that he was most anxious to consult our wishes and interests in the matter, whether as regarded our predilection in favour of the "buffer" principle, or our desire for facilities for trade with China in that neighbourhood. I then asked him whether he had in his own mind considered the width of the area which should be left between our respective frontiers, and as we bent over the map together I pointed out the Nam U, which flows into the Mekong a little to the west of Luang Prabang, as affording a suitable line of demarcation, if we were driven to a solution on this basis, and our views in regard to Luang Prabang were to be ignored. His Excellency did not seem to be averse to this suggestion, though he subsequently said he would prefer to substitute its western watershed for the river itself, on the understanding that a parallel line should demarcate the Burmese frontier between the Salween and the Mekong. On this I told him that, to the best of my belief, such a line already existed. In right of Burmah the jurisdiction of England had been extended over the Shan Province of Kyaing Chaing, which lay on both sides of the Mekong, but, with the view of consulting French susceptibilities, and in order to avoid the appearance of advancing too far eastwards, we ourselves had already re-enforced the "buffer" principle by handing this province over to Siam, and retiring to a considerable distance westwards from the Mekong.

I further reminded him that Sir Edward Grey would be expected to give some account in the House of Commons to-morrow of the stage at which our negotiations had arrived. I recognized the difficulty there would be if the French Government were to modify the position it had assumed. What, therefore, I would propose was this: that Sir Edward Grey should be authorized to announce that the French Foreign Office was perfectly prepared, in consultation with your Lordship, to constitute a wide territory, independent both of England and of France, which should remain as a permanent "buffer" between the two countries.

No. 195.

Leeds Chamber of Commerce to the Earl of Rosebery.—(Received July 27.)

My Lord,

Leeds, July 26, 1893.

I AM instructed by the Council of this Chamber to forward the following Resolution, which was unanimously passed by them at their meeting held to-day:—

"That this Chamber views with great concern the action of France towards Siam, as threatening both the independence and stability of a friendly and unaggressive neighbour and the large trading interests of this country; and the Chamber trusts that the Government will persevere in its endeavours to mitigate the evils which at the present moment seem to be impending."

I have, &c.

(Signed) RHODES K. CALVERT, *Secretary.*

No. 196.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 27, 1893.

MAY I understand from your Excellency's despatch of the 26th instant that Her Majesty's Government are authorized to make a statement in Parliament that, although France is unable to introduce any alteration into the first Article of the ultimatum, she recognizes the necessity for the maintenance of a neutral territory between the French possessions and those of Her Majesty's Government in the extreme east? I consider that the line of the Nam U mentioned in your despatch would be the proper eastern frontier of the intervening territory.

No. 197.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 27.)

(Telegraphic.)

Paris, July 27, 1893.

THE terms in which the announcement should be made are as follows:—

Reports received from Lord Dufferin are to the effect that the French Government would be willing, in accordance with the views it has always expressed in favour of the constitution of an independent territory between the French and Indian Empires, to negotiate with Her Majesty's Government as to the limits of the region in question.

No discussion of this phase of the question can, however, be entertained by the French Government until France shall have received, or shall be assured of receiving, the satisfaction from Siam to which she considers herself entitled, as set forth in her ultimatum.

No. 198.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 27, 1893.

I HAVE received your despatch of yesterday, recording the substance of your conversation on that day with M. Develle on the Franco-Siamese question.

It seems very desirable if possible to obtain an exchange of notes recording the agreement of the two Governments on the principle of maintaining a zone of neutral and independent territory between their respective possessions.

No. 199.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 27.)

(Telegraphic.)

Paris, July 27, 1893.

I LEARN that the blockade of the Siamese coast by the French fleet will be put into force on the 31st instant.

No. 200.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 27, 1893.

I LEARN from Her Majesty's Ambassador at Paris that the blockade of the coast of Siam by the French squadron will commence next Monday, the 31st instant.

No. 201.

*Foreign Office to Admiralty.**

Sir,

Foreign Office, July 27, 1893.

I AM directed by the Earl of Rosebery to state, for the information of the Lords Commissioners of the Admiralty, that a telegram has been received from Her Majesty's Ambassador at Paris, announcing that the blockade of the coast of Siam by the French squadron will be put into force on the 31st instant.

No particulars have as yet been received as to the extent of coast which will be blockaded.

I am, &c.

(Signed) T. H. SANDERSON.

* Also to India Office, Colonial Office, and Board of Trade.

No. 202.

Captain Jones to the Earl of Rosebery.—(Received July 27.)

(Telegraphic.)

Bangkok, July 27, 1893.

I HAVE been requested by the Governor of Macao to arrange that, in case of disturbance, Portuguese subjects may be protected by British war-ships. May this be done?

No. 203.

Captain Jones to the Earl of Rosebery.—(Received July 27.)

(Telegraphic.)

Bangkok, July 27, 1893.

THE French Naval Commander has announced that blockade commenced at 5 P.M. on the 26th instant, and that all ports between Lem Krabang and Chau-li are included. Friendly vessels are allowed three days to clear.

No. 204.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 27, 1893.

I HAVE repeated to you in my previous telegram of this evening a message from Her Majesty's Minister at Bangkok reporting the notification by the Commander of the French forces in Siamese waters of a blockade of the Siamese coast from the 26th instant.

It has caused me the greatest surprise, and I have to request that your Excellency will at once ask M. Develle for explanations as to its meaning.

Practically, the blockade is solely directed against British commerce. Already the subject is attracting the liveliest attention in this country, and there can be no doubt that it will provoke still more notice than it has even yet done.

As it appears from Captain Jones' telegram that the blockade was proclaimed on the 26th instant, Her Majesty's Government have a right to demand that they shall be furnished with the most precise details as to its character.

No declaration of war between France and Siam having been made, such unusual proceedings on the part of the French authorities cannot fail to raise international questions of a serious character.

No. 205.

Admiralty to Foreign Office.—(Received July 27.)

Sir,

Admiralty, July 27, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, copy of a telegram, dated the 27th July from the Senior Naval Officer at Bangkok.

I am, &c.

(Signed)

EVAN MACGREGOR.

Inclosure in No. 205.

The Senior Naval Officer, Singapore, to Admiralty.

(Telegraphic.)

Bangkok, July 27, 1893, 5.25 P.M.

EFFECTIVE blockade declared from 5 evening 28th July Siamese coast and islands northward of Points Chulai and Lem Krabang; three days' grace. Friendly ships leaving. "Triomphante" is due with Admiral 28th July.

French flag hoisted Kohsichang this morning.

No. 206.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 27, 1893.

A TELEGRAM from the Senior Naval Officer at Bangkok has been received at the Admiralty on the subject of the French blockade. It appears to increase the already existing confusion as to the date at which the blockade is to commence.

Her Majesty's Government will of course be strictly questioned in Parliament to-morrow on the subject. The telegram is as follows:—

“Effective blockade declared from 5 evening 28th July Siamese coasts and islands northward of Points Chulai and Lem Krabang; three days grace; friendly ships leaving.

“‘Triomphante’ is due with Admiral 28th July. French flag hoisted Koh Sichang this morning.”

No. 207.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 27, 1893.

THE nature of the advice which I have given to the Siamese Government has been constant and consistent in the sense that they should come to terms with the French quickly. It is impossible for Her Majesty's Government now to change this view, or, indeed, to intervene with advice at this juncture.

The result of the inquiries that I have been able to make at Paris shows that the tendency of the demands of the French is to increase, and rapidly so, if the Siamese continue to resist the conditions laid down in the ultimatum.

I am unable to see, under these circumstances, what Siam can hope to gain from maintaining her refusal to accept those conditions, nor what better course remains for her than to accept the French terms at once and unconditionally.

The engagements entered into by the Siamese Government with Her Majesty's Government in regard to Kyaing Chaing need not deter the Siamese Government from this course. The question as to the future status of that province must be discussed directly between Her Majesty's Government and that of France.

No. 208.

Foreign Office to Admiralty.

Sir,

Foreign Office, July 27, 1893.

I AM directed by the Earl of Rosebery to state, for the information of the Lords Commissioners of the Admiralty, that the Governor of Macao has addressed to Her Majesty's Minister at Bangkok a request that, in case of disturbances at the latter place, Portuguese subjects may receive protection from Her Majesty's ships of war.

Lord Rosebery proposes, with the concurrence of the Lords Commissioners of the Admiralty, to inform Captain Jones that Her Majesty's Government will be willing to instruct the Senior Officer in command of Her Majesty's naval forces in Siamese waters to afford protection to Portuguese subjects in case of need, but that the request should be made formally by the Portuguese Government.

I am, &c.

(Signed) T. H. SANDERSON.

No. 209.

Foreign Office to Straits Settlements Association and other Firms.

Gentlemen,

Foreign Office, July 27, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 24th instant, calling attention to the effect which will result to the interests you represent from the action of the French Government towards that of Siam.

In reply, I am to state that the questions to which your letter relates are engaging

the serious attention of Her Majesty's Government, and that, should a blockade of the Siamese coasts be officially proclaimed, it will be carefully watched by Her Majesty's Government, to see that the recognized rules of international law with regard to blockades are observed.

I am, &c.
(Signed) T. H. SANDERSON.

No. 210.

Messrs. Samuel to the Earl of Rosebery.—(Received July 28.)

Your Lordship,

31, Houndsditch, London, July 26, 1893.

WE wish to call your attention to the following facts:—

On the 20th June we sold to Messrs. A. Markwald and Co., of Bangkok, a parcel of about 1,100 tons of petroleum in bulk for delivery in Bangkok, and this we duly shipped by our steamer "Conch," the vessel calling first at Hong Kong, where she is due on the 30th of this month, and then proceeding to Bangkok to discharge the oil.

We subsequently chartered the steamer for a full cargo of cleaned rice to London, jointly from Messrs. A. Markwald and Co. and the Borneo Company (Limited).

We have to request your Lordship's assistance to enable our steamer to go to Bangkok and to fulfil her engagements. Very heavy loss indeed would be entailed upon us if she is prevented from going there, because we have no storage available in the East at present where we could discharge the oil destined for Bangkok. In addition to which, our friends there, and our own firm, who are largely interested in the installation there, will suffer severe loss through running out of stocks there. We ask your Lordship's good offices to protect us from such an unfair and unforeseen loss, seeing, of course, that the engagements for the ship were made when there was not the slightest pretext for the French Government to declare a blockade.

Anxiously waiting your Lordship's reply, we are, &c.

(Signed) W. SAMUEL.

No. 211.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 28.)

(Extract.)

Paris, July 27, 1893.

IN accordance with a previous agreement with M. Develle, I repaired this morning to the French Foreign Office in order to concert the exact form in which the announcement of the willingness of the French Government to constitute a stretch of independent territory between the English and French possessions in Asia should be communicated to the House of Commons, and I have since transmitted this authorized version of the French declaration to your Lordship by telegraph.

We then reverted for a few moments to the subject of the neutral territory to be constituted, and having in my possession a map prepared by Captain Wisely in 1888, and therefore drawn up without any reference whatever to the questions upon which we were engaged, I pointed out to his Excellency that the eastern limit of our Burmese Shan states was nearly conterminous with the 102nd degree of east longitude, and approached within a few miles of the Nam U, the river which I had suggested yesterday as a convenient western boundary of the independent State in question, should Her Majesty's Government consent to treat on that basis. On this M. Develle produced a map of his own, and showed that the limit of this very Burmese State followed the crest of the range of mountains for which he had subsequently declared his preference as a boundary, it being the watershed of the Nam U. I further showed him on the same map that the boundary of Burmah, according to his own French maps, extended much further east, as far as the 103½ degree, or nearly 100 miles closer to the Tonquin frontier than the line with which we had contented ourselves, so that by assigning the Shan State in question to Siam we had voluntarily retired nearly 300 miles further west than we need have done, with the view of avoiding umbrage to France by a too close approach to her Indo-Chinese possessions.

I then reverted to a different branch of the subject, namely, the 6th Article of the ultimatum as telegraphed by Captain Jones to your Lordship on the 20th July.

The Article runs as follows: "Immediate deposit of 3,000,000 fr. in dollars as guarantee for the claims mentioned in Articles Nos. 4 and 5, or in default of this guarantee the right to farm the taxes of Battambang and Siamrep," or, in other words, as M. Develle explained, to impound the revenues derived from the fisheries on the Great Lake. In reference to this Article I said I would be glad to have some further explanations, and those explanations were all the more necessary in view of a book I had recently read by M. Lanessan, the present Governor-General of Indo-China, who had advocated the violation of the Treaty of 1867 (a Treaty by which France had expressly recognized the right of Siam to both these provinces), and their annexation to France. The independence and integrity of Siam was, I said, a matter of the last moment to us as her immediate neighbour, and M. Develle had been good enough to recognize this fact by voluntarily telling me at the very outset of our first interview that France had no designs upon any portion of these territories. But, with the declarations of so important a person as M. Lanessan astringing us in the face, it was desirable, if we were to get these pending questions settled in an amicable manner, that we should receive some assurance in writing that, under cover of collecting these fishery revenues, no attempt would be made to obtain an indirect hold either on Battambang or on Angkor.

On this M. Develle, instead of giving me the positive and satisfactory assurance which I had expected, entered upon a long disquisition as to the views and intentions of his Government in reference to the point I had mooted. He again referred very bitterly to the form in which the Siamese reply to his ultimatum had been couched, and complained that the Siamese should have desired a Commission for the examination of the claims of the French "victims," and should have further made some proposals in regard to the disposal of whatever sum might remain over after these claims had been satisfied. Such disrespectful hesitations and suggested modifications were intolerable when preferred by so insignificant a State to so great a Power as the Republic, and would fully justify France in now taking whatever military or other measures she might deem expedient. But surely, I said, the indemnities to the French claimants being fixed unreservedly at 2,000,000 fr., there is a possibility that the additional 1,000,000 fr. may more than cover the indemnities demanded under Article 4 for the "families of victims;" and to express a hope that the surplus, if any, may be restored to the Siamese Government can only be regarded as a very justifiable and natural request. In any event it cannot be quoted as tantamount to a refusal to pay the money, since it implies the very contrary. Moreover, as the Siamese Government would have a perfect right to the surplus of the deposit—for the term "deposit" in itself implies the possibility of a residue—it is not unnatural that the Siamese should desire some kind of fair and impartial inquiry as to the grounds on which the families of the victims in question found their demands. The expression of such a wish cannot be quoted against them as a crime, or indeed as in any way qualifying the assent they have already given to pay the money, especially as they expressly state that it is a suggestion, and not a condition. What you have said to them is this: We consider we have certain claims against you, which certainly amount to 2,000,000 fr., and may amount to 3,000,000 fr.; therefore hand us over 3,000,000 fr., not as a payment, but as a deposit. The Siamese reply: Here are the 3,000,000 fr., but as you yourselves imply that this sum may more than cover the amount to be eventually demanded from us, we hope that the surplus will be returned, and we are naturally curious as to the grounds upon which that section of the claims which you yourselves admit to be indeterminate are founded. M. Develle answered, Yes, but besides this there is the refusal of the 1st Article.

I have reported this part of our conversation in some detail because it appeared to me that M. Develle was anxious to found a right to a free hand in Battambang and Angkor on the strength of what he denounced as the irritating suggestions in Siam's reply. Before, however, this part of the question was dropped, M. Develle did give me a positive assurance that if the ultimatum pure and simple was accepted, including the 1st Article, the threats he had used of further military measures would of necessity fall to the ground.

Messrs. Wallace Brothers to the Earl of Rosebery.—(Received July 28.)

My Lord,

8, Austin Friars, London, July 27, 1893.

WE have the honour to inform your Lordship that we have received a telegram, dated to-day, from the Bangkok office of the Bombay Burmah Trading Corporation (Limited), for which Company we are agents, as follows:—

“Telegraph whether blockade declared. Information unobtainable on this side.”

From this we conclude that no notification of the blockade has yet been made at Bangkok, and we have the honour to request that your Lordship will give us such information as will enable us to answer the question.

The matter is of importance to the Corporation, as they are at present loading with teak a ship which is now nearly ready for sea. The ship is Norwegian, and therefore a neutral bottom, and the cargo, of course, is also neutral, the Bombay Burmah Trading Corporation having its domicile (registered office) in British India.

We have seen it stated that a blockade cannot, under international law, be made effective as against neutrals unless there has been a declaration of war, and we understand that no such declaration of war has been made by France, and further, that under the French Constitution no declaration of war can be made without consent of the Chambers, to obtain which consent the Chambers would have to be called together. On the other hand, it is stated in the French press that the blockade would be a mere affair of gendarmerie—whatever that may mean—and would not require the consent of the Chambers. And further, it is stated that the blockade by France of the Chinese coast some years ago was declared without consent of the Chambers, and was nevertheless recognized as effective.

Under these circumstances, the Corporation is placed in a difficult position. The ship once loaded, it has no control over the captain, who may sail and risk capture. Whatever may be the theoretical position according to international law, the ship having been taken to the nearest French port, Saigon, would probably be condemned, for it is hardly to be expected that the legal authorities there, subject to the influence of a Governor-General who is himself the instigator of the French action, will act as strictly in accordance with the doctrines of international law as a Court in France might possibly do. To guard itself against risk, the Corporation would therefore have to insure against war risk, but for this underwriters ask a heavy premium.

We have the honour, therefore, to request that your Lordship will inform us whether, without a declaration of war, Her Majesty's Government will recognize a blockade, and will protect its subjects who may suffer seizure of their property under such a blockade.

We need not point out to your Lordship the serious damage which the Corporation will otherwise suffer from the interruption of its business. It has the cargo of teak now prepared for another ship shortly due to arrive, and if this vessel is prevented from entering the cargo will suffer great depreciation. Moreover, it is evident that the working of the mills and conduct of business generally in Bangkok will be rendered exceedingly difficult, if not impossible; that there will be great risk of loss of life and property.

This risk of loss of life and property will be run not only in Bangkok—where it will happily be diminished by the measures which your Lordship has already taken in ordering war-vessels to assist in protecting British subjects—but in the up-country districts, where the foresting business of the Corporation is carried on—a business which requires the transport and storage of large amounts of specie in the charge of its European staff, as well in the transport as in the storage. This risk, as was shown during the war in Burmah, when a large number of the Corporation's staff lost their lives, and the Corporation itself much property, is very great in the case of a country like Siam, where the administrative system of the districts, never very strong, though strong enough to afford sufficient protection under normal circumstances, collapses under any external shock.

There is further the possibility that communication both by telegram and mail with India and England may be interrupted, and that the means, therefore, of obtaining the funds necessary for carrying on business may be stopped.

In connection with this latter point, we have the honour to request your Lordship to inform us whether, under such a blockade, communication by mail would be allowed to continue.

We have, &c.

(Signed) WALLACE BROTHERS.

No. 213.

Colonial Office to Foreign Office.—(Received July 28.)

Sir, *Downing Street, July 28, 1893.*
 I AM directed by the Secretary of State for the Colonies to transmit to you, for the consideration of the Earl of Rosebery, with reference to the letter from your Department of the 27th instant, a copy of the telegram on the subject of the blockade of the Siamese coast by France.

I am, &c.
 (Signed) R. H. MEADE.

Inclosure in No. 213.

Governor Sir C. Smith to the Marquis of Ripon.

(Telegraphic.) *Singapore, July 28, 1893.*
 FRENCH Consul already notified prospective arrival of cruiser "Papin." In view of Proclamation of blockade (I) request instructions.

No. 214.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 28.)

(Telegraphic.) *Paris, July 28, 1893.*
 I HAVE the honour to acknowledge the receipt of your Lordship's telegram of yesterday's date. In accordance with the terms laid down therein I will at once address a note to M. Develle with reference to the blockade.

His Excellency informed me yesterday that the blockade was "un blocus pacifique," and that its enforcement would date from the 31st instant, as I already informed your Lordship.

No. 215.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 28.)

(Telegraphic.) *Paris, July 28, 1893.*
 A SECRETARY, who has been sent from the Quai d'Orsay expressly, explains that the true date for the commencement of the blockade is, as stated to me yesterday by the Minister for Foreign Affairs, the 31st. Some telegraphic blunder must have caused the discrepancy in the dates as reported from Paris and from Siam.

Full details of the nature and extent of the blockade will be furnished in a note which is to be addressed to me immediately.

No. 216.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.) *Foreign Office, July 28, 1893.*
 NOTICE has been received from the French Consul by the Governor of Singapore that the French cruiser "Papin" is expected at that port. In view of the announcement of the intended blockade of the Siamese coast the Governor asks for instructions for his guidance.

If it is proposed, under the so-called "pacific blockade," that neutral vessels shall be treated as liable to capture and condemnation, Her Majesty's Government cannot do otherwise than look upon such a blockade, when formally notified, as constituting a state of belligerency.

As neutrals, their duty in such circumstances would seem to impose upon them the necessity of placing the customary restrictions on the facilities to be afforded to French ships of war which may visit British ports, especially such ports as are in the immediate vicinity of that part of the Siamese coast blockaded by the French squadron.

No. 217.

Captain Jones to the Earl of Rosebery.—(Received July 28.)

(Telegraphic.)

Bangkok, July 28, 1893.

I HAVE to report to your Lordship that the Siamese Government have telegraphed to the French Minister, who is now with fleet outside the bar of the River Menam, and to Paris, that they will accept the terms of the conditions laid down by France without reserve.

No. 218.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, July 28, 1893.

YOUR Excellency is aware that Her Majesty's Government have carefully refrained from intervening in the dispute between France and Siam, and that, in reply to communications from the Siamese Government, they have consistently pointed out the necessity of coming to terms with France as speedily as possible. But from the most recent intelligence there is some reason to fear that the demands upon Siam may tend to increase considerably should further delay take place in accepting the conditions of the French ultimatum, while the Siamese are absolutely without any effective means of resistance. To refuse the French ultimatum would be to play into the hands of the more fanatical advocates of colonial expansion at any price, who, both in Paris and at Saigon, denounce these terms as inadequate, and would gladly find an excuse for further exaction. I have therefore dispatched a telegram to Her Majesty's Minister at Bangkok, of which I transmit a copy herewith,* making known our view that no better course remains open to Siam than immediate and unconditional compliance with the French demands.

Whatever may be the decision of the Siamese Government, your Excellency should make it clear to M. Develle that Her Majesty's Government adhere firmly to their views as to the absolute necessity of maintaining a neutral territory between the British and French possessions in the peninsula. The eastern boundary of this territory should, in their opinion, be the River Nam U or its watershed, and in that case the western boundary might be framed to include the Province of Kyaing Chaing. It seems to Her Majesty's Government matter for consideration whether this neutral zone should not be placed under the jurisdiction of China in view of her claims over adjoining districts, as well as of her power to assert her authority.

Details must, of course, be left to subsequent negotiation, but, in order to avoid the possibility of future misunderstanding, Her Majesty's Government deem it essential that there should be an exchange of notes or a signed Agreement, as suggested in my telegram of yesterday's date, declaring the necessity of a neutral zone.

I am, &c.

(Signed) ROSEBERY.

No. 219.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 29.)

My Lord,

Paris, July 28, 1893.

I HAVE the honour to transmit herewith to your Lordship copy of a note which, in obedience to instructions, I have this day addressed to the French Government, pointing out the discrepancy in the date of the proclamation of the blockade of the Siamese coast as given by M. Develle and Her Majesty's Representative at Bangkok.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 219.

The Marquis of Dufferin to M. Develle.

M. le Ministre,

Paris, July 28, 1893.

LORD ROSEBERY has received a telegram from the British Representative in Siam, informing him that the French Commander has notified that the blockade began on the 26th July at 5 P.M., and includes all ports between Chulai and Lem Krabang. Three days are allowed to friendly vessels to leave.

Yesterday, in accordance with the communication your Excellency was good enough to make to me, I telegraphed to Lord Rosebery that the blockade was a pacific blockade, and that it would begin on the 31st.

Her Majesty's Minister for Foreign Affairs has expressed to me his astonishment to the discrepancy between the news forwarded to him from Bangkok and the statement which I myself have communicated on your Excellency's authority.

I am further instructed to observe that this blockade, which is practically directed against British commerce alone, is already attracting the liveliest attention in Great Britain, and is sure to provoke more. As the blockade was proclaimed on the 26th instant, we are entitled to demand the most precise details as to its character, inasmuch as these strange proceedings without any declaration of war raise a serious international question.

I have, &c.

(Signed) DUFFERIN AND AVA.

No. 220.

Captain Jones to the Earl of Rosebery.—(Received July 29.)

(Telegraphic.)

Bangkok, July 29, 1893.

REFERRING to my telegram of the 27th instant, respecting the blockade of the coast of Siam, I have to report that an additional day has now been given for ships to clear. A vessel arriving from Hong Kong, carrying Chinese labourers, has been stopped at the bar and forced to remain with her cargo outside, thus causing very heavy loss to her consignees. Her captain made an offer, which was refused, to enter and discharge her cargo, and return outside at once.

No. 221.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 29, 1893.

WITH reference to Captain Jones' telegram of yesterday evening, reporting that the Siamese had accepted the terms of the French ultimatum unreservedly, I request that your Excellency will ascertain from M. Develle whether he proposes, under these circumstances, that the blockade of the Siamese coasts shall be maintained.

No. 222.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 29, 1893.

YOU have omitted to report in your telegram of to-day the nationality of the ship from Hong Kong which had been stopped. Pray let me know by telegraph whether it was a British vessel.

The French Government continue to assert that the blockade of the Siamese coasts does not commence before Monday the 31st instant.

No. 223.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 29, 1893.

I HAVE repeated to your Excellency Captain Jones' telegram of this morning, reporting that a ship from Hong Kong with Chinese coolies on board had been stopped at the bar of the Menam, and forced to remain outside.

He has been asked to report whether this was a British vessel.

In any case, such a proceeding is a strange commentary on the theory advanced by the French Government, that the notification of the 26th instant as the date from which the blockade is to commence is due to a telegraphic error, for it is clear that the blockade has actually begun, and is being rigorously enforced.

I request that your Excellency will call M. Develle's attention to this point in a note.

No. 224.

Admiralty to Foreign Office.—(Received July 29.)

Sir,

Admiralty, July 29, 1893.

WITH reference to your letter of the 27th instant, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for Foreign Affairs, that they concur in the proposed answer to Her Majesty's Minister at Bangkok relative to the request for protection of Portuguese subjects in case of need.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 225.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 29, 1893.

IN reply to the request made by the Governor of Macao, and reported in your telegram of the 27th instant, you may inform him that instructions will be given to the Senior Officer in command of Her Majesty's ships at Bangkok that, in case of need, he should extend protection to Portuguese subjects at that place.

You should add that the request should be addressed formally to Her Majesty's Government by that of Portugal.

No. 226.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 29.)

(Telegraphic.)

Paris, July 29, 1893.

THE unconditional submission of the Siamese Government to the French ultimatum was conveyed to M. Develle at 10 this morning by the Siamese Representative.

No. 227.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 29.,

(Telegraphic.)

Paris, July 29, 1893.

IN reply to my inquiry whether Siam's acceptance of the ultimatum would mean that the blockade would not be imposed, Minister for Foreign Affairs stated that he would give me an answer at the conclusion of the Cabinet Council.

The point raised by the Governor of Singapore, and reported in telegram of the 28th instant from your Lordship, was explained to M. Develle.

No. 228.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 29.)

(Telegraphic.)

Paris, July 29, 1893.

IT would appear, from the explanation given me this morning by M. Develle, that the affair of the steamer referred to in your Lordship's telegram of to-day was caused by the difficulty which exists in communicating with the naval officers, who acted under a misapprehension of their orders; but I will address a communication to the Government of the Republic drawing their attention to this case.

No. 229.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 29.)

(Telegraphic.)

Paris, July 29, 1893.

I HAVE just received information that Council of Ministers cannot be held till to-morrow, on account of paucity of Ministers here to-day. I am to see M. Develle at 6 to-morrow after the Council, and shall then be in possession of more information about blockade.

It is submitted to me at the Quai d'Orsay, with reference to the expected arrival to-night of French man-of-war at Singapore, that no objection can be made to her entering, as commencement of blockade will not have taken place.

No. 230.

Foreign Office to Leeds Chamber of Commerce.

Sir,

Foreign Office, July 29, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 26th instant, inclosing a Resolution passed by the Leeds Chamber of Commerce respecting the attitude assumed by France towards Siam.

I am to state, in reply, that the questions arising out of the present difficulties between these two countries are occupying the earnest attention of Her Majesty's Government, who will continue to vigilantly watch the course of events.

I am, &c.

(Signed) T. H. SANDERSON.

No. 231.

Captain Jones to the Earl of Rosebery.—(Received July 30.)

(Telegraphic.)

Bangkok, July 30, 1893.

I HAVE received your Lordship's telegram of the 29th instant, respecting the nationality of the ship detained by the French authorities outside the bar of the River Menam. She is a British vessel, and has now been permitted to come to Bangkok for the purpose of discharging her cargo. She will clear this evening.

No. 232.

Captain Jones to the Earl of Rosebery.—(Received July 30.)

(Telegraphic.)

Bangkok, July 30, 1893.

IT is reported that six French ships, including flag-ship with Admiral, are now outside the bar.

No. 233.

Captain Jones to the Earl of Rosebery.—(Received July 30.)

(Telegraphic.)

Bangkok, July 30, 1893.

IN consequence of notification from French Admiral that blockade arrangements which concern delays of departure apply equally to ships of war and to merchant vessels, the Commander of Her Majesty's ship "Pallas" has warned the "Linnet" to be ready to leave the Menam River. The British community at Bangkok would be deprived of all protection by such a measure.

No. 234.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 30, 1893.

YOUR telegram of this day has been received, announcing that warning had been given by the Captain of Her Majesty's ship "Pallas" to Her Majesty's ship "Linnet" to be in readiness to leave the Menam as the blockade is stated to be applicable to ships of war.

The first consideration must, however, be the protection of British subjects at Bangkok, and the "Linnet" must on no account leave under present circumstances.

No. 235.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 30, 1893.

I REQUEST that your Excellency will state to the French Government that it would be impossible that Her Majesty's Government should allow British subjects to be left at the mercy of an unruly Oriental population, and that, therefore, they cannot withdraw Her Majesty's ship now stationed off the city.

You should also remind them that I have not yet received a reply to the inquiry I addressed to M. d'Estournelles on the 25th instant, when I asked him what facilities would be granted to the British ships for obtaining necessary supplies.

No. 236.

Admiralty to Foreign Office.—(Received July 30.)

Sir,

Admiralty, July 30, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the copy of a telegram dated Bangkok, 30th July, from the Senior Naval Officer.

I am, &c.

(Signed)

EVAN MACGREGOR.

Inclosure in No. 236.

Senior Naval Officer, Bangkok, to Admiralty.

(Telegraphic.)

Bangkok, July 30, 1893.

I HAVE to report that Admiral Humann has arrived at Koh-si-chang. He has issued a revised notice of blockade. Limits: first zone within line drawn across Chulai to Lem Krabang; second line northern Kohsamt to Lemling declared afresh 29th July; three days' grace has been added.

Messrs. Glover Brothers to the Earl of Rosebery.—(Received July 31.)

My Lord,

88, Bishopsgate Street, London, July 29, 1893.

OBSERVING from the newspapers the reports relative to the possibility of a blockade of the Gulf of Siam, without being aware that such blockade has been preceded by any declaration of war on the part of France, we shall be much obliged if your Lordship will be good enough to ascertain from the French Government whether our steam-ship "Moldava," which is bound to Bangkok to load a cargo of rice, and due there about the 20th proximo, will be allowed to fulfil her contract.

Thanking your Lordship in anticipation, we have, &c.

(Signed)

GLOVER BROS.

Prince Vadhana to M. Develle.—(Communicated to the Earl of Rosebery by Siamese Legation, July 31.)

M. le Ministre,

Légation de Siam, Paris, le 29 Juillet, 1893.

MON auguste Souverain, Sa Majesté le Roi de Siam, ayant, avec de sincères regrets, constaté que la réponse faite par son Gouvernement à la note comminatoire du 20 Juillet dernier et aux conditions à lui imposées par celle-ci, fut considérée comme ne donnant pas toutes les satisfactions que le Gouvernement de la République réclamait j'ai été chargé par mon Gouvernement de porter à la connaissance de votre Excellence que Sa Majesté le Roi de Siam, inspiré par les meilleurs sentiments d'amitié pour la France, acceptait, sans réserve, les réclamations du Gouvernement de la République.

Je viens confirmer, par les présentes, ce que j'ai eu l'honneur de communiquer verbalement à votre Excellence au cours de l'intrevue qu'elle a bien voulu m'accorder ce matin; et je viens préciser, autant que possible, les motifs qui avaient amené Sa Majesté le Roi de Siam à accepter définitivement les conditions de la France. C'était:—

1. Pour apaiser et mettre fin à l'excitation, de jour en jour grandissante, de la population de Bangkok, excitation qui menaçait la vie et la propriété des indigènes comme des étrangers.

2. Pour le repos et le bonheur de son peuple.

3. Pour le maintien de la paix.

4. Pour sauvegarder les intérêts du commerce.

5. Pour renouveler les relations diplomatiques à Bangkok entre le Siam et la France, relations interrompues d'une façon regrettable.

6. Pour reprendre les traditions d'un amical et cordial voisinage, et dans l'intérêt des deux nations.

Je me félicite d'avoir l'honneur de porter ce qui précède à la connaissance de votre Excellence et je ne doute point que le Gouvernement de la République, pour mettre, de son côté, fin au différend qui s'est élevé entre le Siam et la France, ne donne les contre-ordres nécessaires en ce qui concerne le blocus que la flotte Française, actuellement dans le Golfe de Siam, se préparait à établir.

Je saisis, &c.

(Signé)

VADHANA.

(Translation.)

M. le Ministre,

Siamese Legation, Paris, July 29, 1893.

MY august Sovereign, His Majesty the King of Siam, having learnt with sincere regret that the answer given by his Government to the menacing note of the 20th July, and to the conditions which it imposed upon him, was considered as not rendering all the satisfaction which the Government of the Republic demanded, I have been instructed by my Government to acquaint your Excellency that His Majesty the King of Siam, being actuated by the most friendly feelings towards France, accepts the demands of the Government of the Republic unconditionally.

By this note I am confirming what I had the honour to communicate verbally to your Excellency in the course of the interview which you were good enough to grant to

me this morning, and I wish to explain as clearly as possible the motives which led His Majesty the King of Siam to accept definitively the conditions of France.

These were :—

1. To allay and put an end to the daily increasing excitement of the population of Bangkok, which threatened the lives and property of natives and foreigners alike.
2. For the rest and happiness of his people.
3. For the maintenance of peace.
4. To protect the interests of trade.
5. To renew the diplomatic relations at Bangkok between Siam and France, which have been unhappily interrupted.
6. To restore the traditions of friendly and cordial intercourse, in the interests of both nations.

I congratulate myself on having to bring the foregoing to your Excellency's knowledge, and I have no doubt that, in order to put an end to the differences which have arisen between Siam and France, the Government of the Republic will, on their side, give the necessary counter-orders in regard to the blockade which the French fleet now stationed in the Gulf of Siam was preparing to establish.

I have, &c.
(Signed) VADHANA.

No. 239.

Colonial Office to Foreign Office.—(Received July 31.)

Sir,

Downing Street, July 31, 1893.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Earl of Rosebery, with reference to the letter from this Department of the 28th instant, a copy of the telegrams on the subject of the blockade of the Siamese coast.

I am, &c.
(Signed) R. H. MEADE.

Inclosure 1 in No. 239.

The Marquis of Ripon to Governor Sir C. Smith.

(Telegraphic.)

Downing Street, July 29, 1893.

FRENCH ships of war cannot be allowed to take in supplies at Singapore until Her Majesty's Government definitively knows the character of the blockade, which the French announce that they intend to establish. You should with the utmost courtesy conform yourself to these instructions pending further directions.

Inclosure 2 in No. 239.

The Marquis of Ripon to Governor Sir C. Smith.

(Telegraphic.)

Downing Street, July 31, 1893.

WITH reference to my telegram of 29th July, Her Majesty's Government hears that blockade will be immediately raised. Therefore you need not act on instructions in the above-mentioned telegram.

No. 240.

Borneo Company to the Earl of Rosebery.—(Received July 31.)

My Lord,

28, Fenchurch Street, London, July 31, 1893.

I HAVE the honour to hand you copy of a telegram we have to-day received from our manager in Bangkok :—

“ ‘ Savoia ’ detained at Koh-Sichang ; six full lorchas to complete cargo detained in the river.”

The "Savoia" is a vessel we are loading with rice outside the bar, and the lorchas were taking to her the balance of her cargo from Bangkok town.

We were informed of this seizure by telegram dated 3.10 P.M. 29th July, but there was an error in our message, and we had it repeated.

The act of blockade clearly took place before the expiry of the time notified by the officer in command of the blockading force, and we have to crave your aid for the protection of our interests and the enforcing of our claim for the loss arising from the illegal detention of our vessels.

I have, &c.

(Signed) AND. CURRIE,
Secretary of the Borneo Company (Limited).

No. 241.

Colonial Office to Foreign Office.—(Received July 31.)

Sir, *Downing Street, July 31, 1893.*

I AM directed by the Marquis of Ripon to transmit to you, for the consideration of the Earl of Rosebery, copy of a despatch from the Governor of the Straits Settlements on the subject of the disarrangement of the trade of the Colony caused by the Franco-Siamese dispute.

I am, &c.

(Signed) EDWARD FAIRFIELD.

Inclosure 1 in No. 241.

Governor Sir C. Smith to the Marquis of Ripon.

My Lord, *Government House, Singapore, June 28, 1893.*

I HAVE the honour to forward to your Lordship a copy of a letter from the Chairman of the Chamber of Commerce, Singapore, on the subject of the serious disarrangement of the trade of the Colony with Siam and its tributary States on the coast of the peninsula, owing to the dispute that is going on between France and Siam with regard to the valley of the Mekong.

2. Mr. Shelford has furnished figures which will, I do not doubt, satisfy Her Majesty's Government as to the importance of the British trading interests that are being injured by the present state of affairs, and I venture to urge that such influence as Her Majesty's Government may be able to exercise in the direction of protecting those interests should, as far as possible, be brought into operation.

I have, &c.

(Signed) CECIL C. SMITH.

Inclosure 2 in No. 241.

Singapore Chamber of Commerce to Mr. Talbot.

Sir, *Chamber of Commerce, Singapore, June 23, 1893.*

I AM desired by the Committee to draw your attention to the serious disturbance being caused to trade between this Colony and Siam consequent upon the alleged hostile action of the French in connection with what is known as the Mekong Valley question.

You are aware of the close and very large commercial connection existing between this Settlement and Bangkok, principally amongst the Chinese, by whom the great bulk of the trade, both as regards exports and imports, is conducted.

Many of them, in Bangkok as well as here, are British subjects, and under British Consular jurisdiction.

The trade is almost entirely carried by vessels under the British flag—as will be seen from the inclosed Memorandum (A)—for the most part British-owned, and under these circumstances I am to ask whether his Excellency will be good enough to communicate with Her Majesty's Government in the hope of securing protection of these interests from undue interference.

I inclose a Return showing value of imports and exports during the last three years, and with regard to the latter I am directed to draw your special attention to British manufactures, under the several heads, which almost entirely supply Siam with her requirements.

This particular trade is for the moment paralyzed, and the restriction appears now to be extending to all the coast ports tributary to Siam, with which, at the present open time of the year, an active business is usually conducted.

With respect to imports, you will observe from the Returns the large and increasing value of rice. The present crop is reported as still larger, but much of it is being retained up-country consequent upon the general fear said to exist amongst the people, and which is preventing them from bringing their paddy down to the mills or to the port of shipment.

Of rice imported into this Settlement from all countries, it will be observed by the accompanying Return—marked (C)—that, taking the last five years, the quantity from Siam ranges from 35 to 45 per cent. of the total import. Any interference, therefore, with this source of supply may have serious consequences in affecting the price of food, and, in event of any blockade at Bangkok, might prove disastrous to the many interests involved.

The Chamber took due note of the telegraphic intelligence that Her Majesty's Government had intimated to the Siamese that they would not interfere in the present dispute with France. It is not supposed that such intimation would exclude representations being made, on one side or the other, to protect purely British interests, and it is in this view that the Chamber would urge upon the Governor to lose no time in laying the question before the Colonial Office in such manner as to his Excellency may appear fit.

I have, &c.
(Signed) T. SHELFORD, *Chairman.*

Memorandum (A).—SINGAPORE.

Shipping with Siam.	Arrivals.			Departures.		
	Registered Tonnage.			Registered Tonnage.		
	1890.	1891.	1892.	1890.	1891.	1892.
Square-rigged British	105,754	93,416	106,114	188,574	111,022	125,469
" " foreign	32,744	20,822	11,022	44,950	30,678	18,964
Native craft	2,703	..	823	4,002	1,785	2,131
Total	141,201	114,238	117,959	237,526	143,485	146,564

PENANG with Siam Proper.

Imports.				Exports.				
		1890.	1891.			1890.	1891.	1892.
		Dollars.	Dollars.			Dollars.	Dollars.	Dollars.
		1,700	Nil			72	70	70
Total		..	..	Total		..	..	..
						70	70	70
						Dollars.	Dollars.	Dollars.
						70	70	70
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Memorandum (C).—SINGAPORE Imports of Rice.

	1888.	1889.	1890.	1891.	1892.
	Piculs.	Piculs.	Piculs.	Piculs.	Piculs.
From Siam	1,168,391	1,685,446	1,719,333	1,334,603	1,649,131
From other places	1,524,906	1,985,806	2,536,181	2,741,504	3,026,456
Total	2,693,297	3,671,252	4,255,514	4,076,107	4,675,587
Siam's percentage of total.. .. .	43	45	40	32	35

No. 242.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 31.)

(Telegraphic.)

Paris, July 31, 1893.

AN official notification has appeared this morning to the effect that act is taken by the French Government of the acceptance of the French ultimatum.

No. 243.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 31.)

(Telegraphic.)

Paris, July 31, 1893, 11.45 A.M.

I HAVE this morning signed a Protocol with French Minister for Foreign Affairs under which the establishment of a neutral zone between the possessions of England and France is agreed upon, the limits of which are to be settled by subsequent negotiations.

I have signed *ad referendum*.

No. 244.

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 31.)

(Telegraphic.)

Paris, July 31, 1893.

I SPOKE to M. Develle this morning, as directed in your telegram of yesterday, upon the question of furnishing provisions to the British ships now stationed at Bangkok. The Minister replied that, as the blockade would be raised at once, it was unnecessary to discuss the matter.

No. 245.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, July 31, 1893.

I UNDERSTAND from Paris that concession will be demanded on some minor points falling within the four corners of the French ultimatum.* In order that the French should have no further opportunity for action or territorial requisitions, it is obvious that the Siamese should not hesitate to yield on these.

* See No. 249, substance of which was telegraphed.

The Earl of Rosebery to Captain Jones.

Sir,

Foreign Office, July 31, 1893.

I RECEIVED this afternoon from the Siamese Legation in London the substance of a telegram transmitted from the Siamese Minister in Paris. It was to the following effect :—

“The result of the French Cabinet Council is that the French, by way of giving proofs of moderation towards Siam, will be satisfied by the following guarantees for the fulfilment of the Agreement between France and Siam :—

1. The occupation of the town and river of Chantaboon until the complete and pacific evacuation of all positions on the left bank of the Mekong.

“2. Siam not to maintain any military force at Battambang and Siamrep, or within 25 kilom. of the Mekong River. Only police force and stores allowed within this zone.”

In reply to this communication, I have caused the Marquis Maha Yotha to be informed that, as the Siamese Government have accepted the French conditions, they would, in my opinion, be very unwise to refuse or make difficulties about the guarantees demanded.

I am, &c.

(Signed) ROSEBERY.

No. 247.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, July 31, 1893.

I HAVE been informed by the Siamese Legation here that the following guarantees for the fulfilment of the terms of the French ultimatum have been demanded from Siam :—

1. Until the complete and pacific evacuation has taken place of all the positions held by the Siamese on the left bank of the Mekong the French shall occupy the town and river of Chantaboon.

2. No military force shall be maintained by Siam at Battambang and Siamrep, or within a distance of 25 kilom. of the Mekong. Within this zone the Siamese shall be allowed to have only police forces and stores.

No. 248.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 1.)

(Extract.)

Paris, July 29, 1893.

THIS morning I waited upon M. Develle by appointment at 11 o'clock.

The conversation opened by M. Develle alluding to the Provinces of Battambang and Angkor, and suggesting some arrangement by which they might be handed over to France in exchange for a portion of the Siamese territory in the north, recently surrendered under the terms of the ultimatum. I at once said that I must decline to continue any discussion in the direction indicated. Any transaction of the kind would be not only a serious invasion of the integrity of Siam, but would equally destroy her independence in view of the proximity of those provinces to Bangkok. M. Develle deprecated what he evidently considered an unduly harsh remonstrance, but I persisted in opposing this attempt to create a new Siamese question totally distinct from those actually under discussion, and I added that, although his proposal had come upon me as a surprise, and I had not of course any instructions from your Lordship, he might take it for granted that the absolute refusal which I now expressed to listen to any such ideas as those which he had mooted represented the views of my Government.

I then asked M. Develle whether, now that the Siamese had accepted the French ultimatum, the blockade would be at once raised. He said that a Council was to be held at Martu that day, and that he would see me again at 6 o'clock and acquaint me with the results of the decisions arrived at.

When, however, I returned at the hour named, his Excellency informed me that no Council had been held, in consequence of the impossibility of getting together a quorum of Ministers at so short a notice.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 1.)

(Extract.)

Paris, July 30, 1893.

IN accordance with the arrangement made yesterday with M. Develle, I waited upon him this afternoon at 6 o'clock, but as he did not arrive till somewhat later, I thought it better to postpone our conversation upon the neutral zone until to-morrow.

I asked his Excellency, however, what the Ministry had decided in reference to the blockade. M. Develle said that, provided the Siamese acquiesced in certain arrangements which were required to secure the satisfactory fulfilment of the conditions of the ultimatum, the blockade would be at once raised. I then inquired what these arrangements were. He said that, in the first place, they did not concern any points outside of the four corners of the ultimatum, by which I understood that they did not raise any questions in regard to Battambang and Angkor; but that they referred to such a detail as that the Siamese, who had no gun-boat upon the Mekong at present, should undertake not to place one on that river, and as to the mode in which the Siamese posts were to be withdrawn within the months assigned for that purpose.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 1.)

(Extract.)

Paris, July 31, 1893.

THIS morning I waited upon M. Develle by appointment, and it having been officially announced in the newspapers that the Siamese reply to the ultimatum had been accepted in a friendly spirit by the French Government, I permitted myself to congratulate M. Develle.

We then turned to the question of a neutral zone, which, I said, ought not to present any serious difficulties in view of what had already passed between us.

M. Develle began the discussion this morning by asking whether it would be possible to record at once our agreement to constitute a neutral zone between our respective possessions, and to defer its delimitation for the present. I said that, if he remembered, I myself had suggested such a course; and I added that I would be quite willing to adopt the words "sacrifices and concessions" on condition that by those words I was understood to mean the surrender of our own Trans-Mekong Shan State.

I now beg to subjoin the terms of the Protocol, which we at once proceeded to sign:—

"With a view of obviating the difficulties which might arise from a direct contact between them, the two Powers are agreed to recognize the necessity of constituting, by means of mutual sacrifices and concessions, a neutral zone between their possessions. The limits of this neutral zone shall be subsequently determined.

(Signed)

"JULES DEVELLE.

"DUFFERIN AND AVA.

"July 31, 1893."

We had also agreed to introduce a paragraph to the effect that neither Power should cross the Mekong; but on my observing that such an engagement could not hold good in respect of our Trans-Mekong Province if the negotiation should fall through, this Article was erased.

I also took the further precaution of informing M. Develle that I only signed the Agreement *ad referendum*.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 1.)

My Lord,

Paris, July 31, 1893.

WITH reference to your telegram of the 29th instant, I have the honour to transmit herewith to your Lordship copy of a note which I addressed to the French

Minister for Foreign Affairs on the subject of the detention outside the bar of the Menam of the steamer from Hong Kong.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 251.

The Marquis of Dufferin to M. Develle.

M. le Ministre,

Paris, July 29, 1893.

ACCORDING to telegraphic information which Her Majesty's Government have received this day from Her Majesty's Minister at Bangkok a ship laden with Chinese labourers from Hong Kong has been stopped by the French naval authorities at the bar of the Menam River, and has been forced to remain outside, thus causing considerable loss to her consignees. It moreover appears that an offer which was made that the vessel should enter the river to discharge her cargo and then return outside was not accepted.

Her Majesty's Government are as yet not aware whether the vessel in question is of British nationality or not, but, as this circumstance appears to involve a premature enforcement of the announced blockade, I think it my duty to lose no time in calling your Excellency's attention to it.

I have, &c.
(Signed) DUFFERIN AND AVA.

No. 252.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, August 1, 1893.

IRRITATING telegrams continue to appear in the daily newspapers on the subject of the blockade of the Siamese coasts by the French squadron.

Can you tell me what action has been taken by the French Government as to raising the blockade?

No. 253.

Captain Jones to the Earl of Rosebery.—(Received August 1.)

(Telegraphic.)

Bangkok, August 1, 1893.

THE French ultimatum contains the following additional terms:—

1. Occupation of river and port of Chantaboon pending evacuation by Siam of left bank of Mekong.

2. No Siamese troops to be permitted within 25 kilom. of the Mekong.

3. No Siamese armed vessels to be stationed on Toulesap Lake.

4. Right to establish Consulates at Nan and Korat reserved by France.

The above additional terms are accepted by Siamese Government.

No. 254.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, August 1, 1893.

YOU will have learned from Captain Jones' telegram of this morning, which has been repeated to you, that the additional conditions of the French Government have been accepted by Siam.

Under these circumstances, I assume there can be no doubt that the blockade, which causes considerable irritation here as being mainly directed against British commerce, and which M. Develle assured your Excellency yesterday would be withdrawn forthwith, will now be raised without further delay.

No. 255.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 1.)

(Telegraphic.)

Paris, August 1, 1893.

MINISTER for Foreign Affairs has just been informed by Siamese Representative of the definite acceptance by his Government of the additional conditions. This communication called forth an expression of great satisfaction from M. Develle.

No. 256.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 1.)

(Telegraphic.)

Paris, August 1, 1893.

I HAVE just been informed by a Secretary sent specially from the Quai d'Orsay that France will raise blockade to-morrow.

No. 257.

Admiralty to Foreign Office.—(Received August 1.)

Sir,

Admiralty, August 1, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, paraphrase of a telegram dated the 1st instant from the Senior Naval Officer, Bangkok.

I am, &c.

(Signed) EVAN MACGREGOR.

Inclosure in No. 257.

Senior Naval Officer, Bangkok, to Admiralty.

(Telegraphic.)

Bangkok, August 1, 1893.

BLOCKADE of Siamese coasts. About twelve ships stationed for the purpose. Arrangements for very strict blockade is to be completed to-morrow night.

No. 258.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 2.)

My Lord,

Paris, August 1, 1893.

I CALLED upon M. Develle this morning for the purpose of asking what were his wishes in regard to the publication either of the Protocol itself or of its general purport. He replied that once the supplementary conditions recently communicated to the Siamese Government were accepted there would be no objection to the publication of our Agreement.

I then inquired his Excellency's views in regard to another matter. The Siamese had now surrendered all the left bank of the Mekong up to our Trans-Mekong Burmese frontier to the French, but under our Protocol the stretch of territory lying, roughly speaking, between Luang Prabang and the point where the Mekong resumes a northerly course, was, in accordance with our previous conversation, to form the "buffer." From this region, according to the terms of the ultimatum, the Siamese troops, police, and authorities were to retire within a month. What administration was to replace them? This, I said, was a question which very much interested us from every point of view, for it would be very inconvenient that that part of the world should be allowed to fall into anarchy, should our negotiations be prolonged.

M. Develle replied that, of course, the French had not yet considered at what moment they would send either troops or civil servants to so great a distance, and he

implied that things for the present would be allowed to remain pretty much as they are. The country was sparsely inhabited, he said, and he did not anticipate any disturbances.

I have, &c.
(Signed) DUFFERIN AND AVA.

No. 259.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord, *Foreign Office, August 2, 1893.*

I RECEIVED yesterday morning your Excellency's despatch of the 31st ultimo, reporting what had passed at your interview in the morning with M. Develle in regard to the question of establishing a neutral zone between the British and French possessions in the region of the Upper Mekong.

I have to state that Her Majesty's Government entirely approve your language on this occasion, and the terms of the Protocol which was then signed by your Excellency and M. Develle for carrying this arrangement into effect.

I should be glad, however, to receive from your Excellency a further expression of opinion on the point whether it is better to postpone the discussion of the detailed frontiers or not.

I am, &c.
(Signed) ROSEBERY.

No. 260.

*Foreign Office to Borneo Company.**

Sir, *Foreign Office, August 2, 1893.*

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 26th ultimo, inquiring what effect the blockade of the coast of Siam will have on your vessels loading in Siamese waters.

I am to state, in reply, that an answer to your communication has been delayed while inquiries were being made as to the nature and conditions of the blockade, and that his Lordship has now the satisfaction of informing you that, in consequence of the acceptance by Siam of the French conditions, the blockade of the Siamese coast will not be put in operation.

I am, &c.
(Signed) T. H. SANDERSON.

No. 261.

Foreign Office to Borneo Company.

Sir, *Foreign Office, August 2, 1893.*

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 31st ultimo reporting the detention of the Company's vessel "Savoia" at Koh-si-chang, and requesting the support of Her Majesty's Government in any claim which may be hereafter put forward on account of the loss which the proceedings of the French authorities in this matter have inflicted on the Company.

I am to say, in reply, that this matter will receive careful consideration as soon as detailed information on the subject is received.

I am, &c.
(Signed) T. H. SANDERSON.

* Similar letters were sent to the Arracan Company, Messrs Wallace, Messrs. Glover, and Messrs. Samuel.

No. 262.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 3.)

(Telegraphic.)

Paris, August 3, 1893.

IT is stated by French Government that M. Pavie who was at Koh-si-chang could not have received the final instructions to raise blockade till last night. The ratifications of the final arrangements had then to be exchanged by him at Bangkok with the Government of Siam.

French Government feel sure that there can have been no misunderstanding, and that the raising of the blockade has been carried out by now.

No. 263.

Captain Jones to the Earl of Rosebery.—(Received August 3.)

(Telegraphic.)

Bangkok, August 3, 1893.

UP to 11 o'clock this morning no notification has reached us from the French Admiral that the blockade of the Siamese coasts by the French Admiral has been raised.

Arrangements have been made for forwarding the mails here.

No. 264.

Baron d'Estournelles to the Earl of Rosebery.—(Received August 4.)

M. le Comte,

Londres, le 4 Août, 1893.

JE m'empresse de faire savoir à votre Seigneurie, conformément aux instructions de M. le Ministre des Affaires Étrangères, que le Gouvernement Siamois ayant accepté sans restrictions ni réserves les conditions de l'ultimatum que le Gouvernement de la République avait dû lui adresser le 20 Juillet et ayant adhéré en outre aux demandes de garantie formulées dans la note de M. Develle, en date du 30, des ordres viennent d'être envoyés pour qu'il soit procédé à la levée du blocus concurremment avec l'occupation du port de Chantaboon qui doit nous être remis et être détenu par nous jusqu'à l'exécution complète des clauses de l'ultimatum.

M. Pavie a été autorisé à rentrer à Bangkok.

Veillez, &c.

(Signé) D'ESTOURNELLES DE CONSTANT.

(Translation.)

My Lord,

London, August 3, 1893.

I HASTEN to inform your Excellency, in accordance with instructions from the Minister for Foreign Affairs, that the Siamese Government having accepted without restrictions and without reserve the conditions of the ultimatum which the Government of the Republic had to address to them on the 20th July, and having, moreover, agreed to furnish the guarantees demanded in M. Develle's note of the 30th, orders have just been sent to raise the blockade simultaneously with the occupation of the port of Chantaboon, which is to be handed over to us and retained by us until the complete execution of the clauses of the ultimatum.

M. Pavie has been authorized to return to Bangkok.

I have, &c.

(Signed) D'ESTOURNELLES DE CONSTANT.

No. 265.

Admiralty to Foreign Office.—(Received August 4.)

Sir,

Admiralty, August 4, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the copy of a telegram, dated the 4th August, from Bangkok.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 265.

The Captain of Her Majesty's ship "Linnet" to Admiralty.

(Telegraphic.)

Bangkok, August 4, 1893.

BLOCKADE raised, dated 3rd August.

No. 266.

Captain Jones to the Earl of Rosebery.—(Received August 4.)

(Telegraphic.)

Bangkok, August 4, 1893.

THE French Admiral has notified that the blockade of the coasts of Siam was raised yesterday at noon at all points.

No. 267.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 4, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 31st ultimo, forwarding a communication from the Singapore Chamber of Commerce, in which attention is drawn to the injury caused to the trade of Singapore by the present differences between France and Siam.

Lord Rosebery would suggest that Sir C. Smith should be instructed to inform the Chamber that their representations on this subject will be borne in mind, and that Her Majesty's Government are fully alive to the importance of the British interests involved.

I am, &c.
(Signed) T. H. SANDERSON.

No. 268.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 5.)

My Lord,

Paris, August 4, 1893.

WITH reference to my despatch of the 28th ultimo, I have the honour to transmit herewith to your Lordship copy of a note which I have received from the French Minister for Foreign Affairs in which his Excellency points out that the discrepancy in the dates given at Bangkok and Paris for the commencement of the blockade can only be attributed to an error in the interpretation of the orders given by the Minister of Marine.

In reply to my suggestion that the notification of a blockade without any declaration of war might raise a serious question of international law, M. Develle cites various instances of alleged pacific blockades in support of the French action in the present instance.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 268.

M. Develle to the Marquis of Dufferin.

M. l'Ambassadeur,

Paris, le 3 Août, 1893.

EN me faisant connaître, par sa lettre du 28 Juillet dernier, que le Secrétaire d'État des Affaires Étrangères de Sa Majesté avait reçu, du Représentant Britannique à Bangkok, un télégramme l'avisant, qu'aux termes d'une notification du Commandant Français, le blocus des côtes Siamois avait commencé le 26 Juillet à 5 heures du soir, votre Excellence a fait observer que l'information dont il s'agit ne concordait pas avec les déclarations que j'avais eu l'occasion de lui faire au sujet de l'établissement du blocus.

Ainsi que votre Excellence en a été informée verbalement le même jour, cet incident ne peut être attribué qu'à une erreur d'interprétation des ordres donnés par le Ministre de la Marine, et des instructions destinées à faire disparaître ce malentendu ont été envoyées, sans retard, par le télégraphe, au Commandant du "Forfait."

Par la même communication, votre Excellence signale à mon attention l'impression causée en Angleterre par l'établissement du blocus, en exprimant le désir d'obtenir des renseignements plus précis sur le caractère de cette mesure, dont l'application, sans aucune déclaration de guerre, soulève une importante question de droit international.

Bien que, en raison de la levée prochaine du blocus, la question n'ait plus d'intérêt pratique, je crois devoir faire remarquer à votre Excellence que la mesure dont il s'agit constitue, en réalité, un moyen de contrainte auquel un État est fondé à recourir, sans rompre la paix, pour rappeler une autre Puissance à l'observation de ses devoirs internationaux. La France, l'Angleterre, et la Russie y ont eu, une première fois, recours en 1827, pendant l'insurrection de la Grèce. Divers autres blocus pacifiques ont eu lieu depuis lors. On peut citer notamment le blocus du Tage par la France en 1831; celui des côtes de la Nouvelle-Grenade par l'Angleterre en 1836; celui des ports du Mexique par la France en 1838; en 1838 et 1840, en 1845 et 1848, ceux de Buenos-Ayres par la France seule d'abord, et ensuite par la France et l'Angleterre. Enfin, pour prendre un exemple plus récent, le Commandant des Forces Navales Britanniques au Cap de Bonne-Espérance et à la Côte Occidentale d'Afrique a, en 1876, dans des circonstances offrant une grande analogie avec la situation actuelle, établi sur la côte du Dahomey un blocus dont la durée s'est prolongée pendant plusieurs mois. La France, à son tour, à l'occasion des difficultés survenues avec la Chine, en 1884, a recouru au blocus pacifique des côtes de Chine et le Gouvernement Britannique, à cette époque, tout en formulant des réserves sur les effets que pouvait entraîner la mesure dont il s'agit au regard des Puissances tierces et de leurs ressortissants, n'a pas contesté, en principe, le droit réclamé par le Gouvernement Français.

Agréé, &c.

(Signé)

JULES DEVELLE.

(Translation.)

M. l'Ambassadeur,

Paris, August 3, 1893.

IN your Excellency's note of the 28th July last, informing me that Her Majesty's Secretary of State for Foreign Affairs had received a telegram from the British Representative at Bangkok reporting that, according to the terms of a Notification by the French Commander, the blockade of the Siamese coasts had begun on the 26th July at 5 o'clock in the evening, you drew attention to the fact that the report in question did not coincide with the declarations which I had occasion to make to your Excellency on the subject of the establishment of the blockade.

As your Excellency was verbally informed on the same day, this incident can only be attributed to an error in the interpretation of the orders given by the Minister of Marine, and telegraphic instructions were at once sent to the Commander of the "Forfait" with a view to dispelling this misunderstanding.

In the same communication, your Excellency called my attention to the impression produced in England by the establishment of the blockade, and you expressed the desire to obtain more detailed information as to the character of this measure, of which the application, without any declaration of war, raised an important question of international law.

Although, from the fact that the blockade is shortly about to be raised, the question

has no longer any practical interest, I feel bound to point out to your Excellency that the measure in question is actually one to which a State is entitled to have recourse without a breach of peace, as a means of bringing pressure to bear on another Power in order to recall that Power to the observance of her international obligations. It was resorted to by France, England, and Russia for the first time in 1827, during the Greek insurrection. Various other pacific blockades have taken place since then; notably that of the Tagus by France in 1831; that of the coasts of New Grenada by England in 1836; that of the Mexican ports by France in 1838; in 1838 and 1840, in 1845 and 1848, the blockades of Buenos Ayres first by France alone, and afterwards by France and England. Finally, to take a more recent example, in 1876 the officer in command of the British Naval Forces at the Cape of Good Hope and on the East Coast of Africa instituted, under conditions which present great analogy with the present situation, a blockade of the coast of Dahomey which was prolonged during several months. France, in her turn, on the occasion of difficulties which had arisen with China in 1884, resorted to a pacific blockade of the Chinese coasts, and at that time the British Government, though they made reservations as to the results which might be caused by this measure, in so far as they affected third Powers or their dependents, did not, in principle, contest the right claimed by France.

I have, &c.
(Signed) JULES DEVELLE.

No. 269.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, August 5, 1893.

I HAVE received your Excellency's despatch of the 25th ultimo, relative to the statement made in M. Develle's speech in the Chamber that you had formally announced to him, on behalf of Her Majesty's Government, that Great Britain had no intention of intervening in the frontier question which had arisen between France and Siam.

I am glad that your Excellency should have taken an opportunity of explaining to M. Develle that this was a misapprehension of what had been said by you.

I noticed in the same speech a statement that as early as the 9th March I had spontaneously informed M. Waddington that I had received a visit from the Siamese Minister, who complained of the encroachments of France on the Mekong, but that I had replied that the matter did not concern me.

I find on reference to my notes a record of a conversation with M. Waddington at this Office on the previous day, which is no doubt that alluded to. An account of it is also given in my despatch to your Excellency of the same day. But in neither is there any allusion to any statement of the kind.

As M. Waddington reported the fact in a despatch, I have no doubt that some observation on the subject was made by me. The question between France and Siam, as far as I was aware of it at the time, was one merely of conflicting claims to portions of territory inhabited by wild tribes, and lying to the east of the middle course of the Mekong. I did not consider that in its then position it was one in which Her Majesty's Government were called upon to intervene, and I probably made some observation to that effect, with the object of showing that there was no foundation for the rumours current in the French press that Her Majesty's Government were inciting the Siamese Government to oppose the French contentions.

But that my remarks did not go beyond this is to my mind sufficiently demonstrated by the fact that I made no record of them either in my private notes or in the official despatch giving an account of the conversation.

I have no doubt that I expressed myself to your Excellency in the same sense. It is not necessary to observe that the French pretensions as since revealed had not at that time been advanced in any practical shape, but I certainly had it in my mind that the Siamese should be recommended to abstain from a resistance on which the French might ground larger claims than they as yet had sought to assert.

The report of M. Develle's speech given in the "Times" of the 19th July, which describes me as calling upon M. Waddington for the purpose of making a communication on the subject is of course entirely inaccurate, but I notice that no such statement is made in the verbatim record of the speech published in the "Journal Officiel." To make this difference perfectly clear I subjoin both passages: what M. Develle really said, and what he was represented in the English press to have said.

The "Times" version is as follows :—

"As long ago as the 9th March Lord Rosebery came spontaneously to say to M. Waddington that the night before he had received a visit from the Siamese Minister in London, complaining of the encroachments of the French on the Mekong, and that he told him he had nothing to do with the affair."

The actual words were the following :—

"Dès le 9 Mars dernier Lord Rosebery a spontanément déclaré à M. Waddington qu'il avait reçu la veille la visite du Ministre de Siam à Londres, qui se plaignait des empiétements de la France sur le Mékong, et qu'il lui avait répondu qu'il n'avait pas à s'occuper de cette affaire."

I am, &c.
(Signed) ROSEBERY.

No. 270.

The Earl of Rosebery to Baron d'Estournelles.

M. le Chargé d'Affaires,

Foreign Office, August 5, 1893.

I HAVE the honour to acknowledge the receipt of your note of the 3rd instant, announcing that directions have been given by your Government for raising the blockade of the coast of Siam and for the return of the French Minister to Bangkok.

I have, &c.
(Signed) ROSEBERY.

No. 271.

Captain Jones to the Earl of Rosebery.—(Received August 6, 10.35 P.M.)

(Telegraphic.)

Bangkok, August, 6, 1893, 10.10 P.M.

M. PAVIE asks that a salute may be fired on his return to the French Legation here. The Siamese Government have replied that the forts at Paknam will salute, but that no salutes have been fired at Bangkok for many years past. If M. Pavie accepts this arrangement he will come back on the 7th instant.

Notes have been exchanged by which the acceptance of the French terms is ratified. The town of Chantaboon, and the fort at the mouth of the river, are to be occupied by a regiment of Annamite soldiers.

No. 272.

The Marquis of Dufferin to the Earl of Rosebery.—(Received August 7.)

(Extract.)

Paris, August 5, 1893.

IN reply to the question addressed to me in the last paragraph of your Lordship's despatch of the 2nd August as to whether it is better to postpone the discussion of the detailed frontiers or not, I have to state that in my opinion the French Government would absolutely refuse to renew negotiations at present, or until after the elections.

The President has left Paris, and M. Develle will be leaving to-morrow. Under these circumstances I do not think it would be desirable to press them on the point; nor do I think that the delay will militate against a satisfactory settlement.

No. 273.

Captain Jones to the Earl of Rosebery.—(Received August 11.)

(Telegraphic.)

Bangkok, August 11, 1893.

M. PAVIE was received by Prince Devawongse on the 9th instant in the course of the afternoon.

He mentioned that the French Government do not propose to occupy the town of

Chantaboon, but will be satisfied with holding the forts at the mouth of the river with a company of Annamite soldiers.

He is waiting for instructions from Paris on other matters which he has not yet received.

No. 274.

Captain Jones to the Earl of Rosebery.—(Received August 13.)

(Telegraphic.)

Bangkok, August 13, 1893.

M. MYRE DE VILERS is expected to arrive here shortly as French Minister. He is a Deputy and was formerly Governor of French Indo-China.

Cambodian troops are being concentrated at Pursat, and the Siamese Governor refuses to withdraw his men in consequence of this demonstration, which is regarded as a menace.

No. 275.

Captain Jones to the Earl of Rosebery.—(Received August 15.)

(Telegraphic.)

Bangkok, August 15, 1893.

M. DEVELLE states in the conversation reported in Mr. Phipps' despatch of the 13th July, that M. Groscurin was murdered in cold blood and in his bed, and that the Siamese had admitted this to be the case. The Siamese have full and positive proof to the contrary, and it is absolutely untrue that they ever acknowledged the truth of such assertions.

No. 276.

Mr. Phipps to the Earl of Rosebery.—(Received August 17.)

(Extract.)

Paris, August 15, 1893.

WITH reference to Captain Jones' telegram of the 13th instant, I took an opportunity of mentioning this afternoon to M. Develle the reports current at Bangkok as to a concentration of Cambodian troops at Pursat, and the effect produced on the Siamese Governor, adding that the very satisfactory assurances which his Excellency had made to me a week ago had been conveyed to Her Majesty's Government.

M. Develle said that M. de Lanessan had about seven or eight days ago enjoined on King Norodon the necessity of disbanding the Cambodian levies and submitting to the distinct will of the French Government, and his Excellency said that he had not the slightest apprehension that M. de Lanessan's injunctions would be in any respect disobeyed.

No. 277.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, August 18, 1893.

I HAVE received your telegram of the 13th instant, respecting the concentration of a Cambodian force at Pursat, on the Siamese frontier. The whole question between France and Siam might be reopened if a collision took place between the Siamese and Cambodian forces, but Her Majesty's Government have received assurances from Paris that the Cambodians have been urged to withdraw their troops from the above-mentioned place.

Captain Jones to the Earl of Rosebery.—(Received August 20, 9 A.M.)

(Telegraphic.)

Bangkok, August 20, 1893.

THE King gives audience to M. Le Myre de Vilers to-day. The French Minister for Foreign Affairs has assured the Siamese Minister at Paris that M. Le Myre de Vilers' instructions relate solely to execution of terms of ultimatum.

Captain Jones to the Earl of Rosebery.—(Received August 21.)

My Lord,

Bangkok, July 17, 1893.

I HAVE the honour to report to your Lordship the following details in connection with the passage of the bar at the mouth of the River Menam on the 13th instant by the French gun-boats "Inconstant" and "Comète" in face of a heavy fire from the Siamese forts and ships, and the obstacles with which the channel had been obstructed.

The accompanying correspondence—printed by authority—will show that the Siamese Government had good reason to believe that these gun-boats would not enter the river, seeing that the reason alleged for doing so—that several British ships of war were already at Bangkok—was shown to be groundless, there being but one British gun-boat in the river at the time.

The French Minister here, M. Pavie, had already agreed to send beforehand an officer of the "Lutin," the gun-boat attached to the French Legation, with orders to await, outside the bar, the arrival of the "Inconstant," and to communicate to its Commander the details of the course agreed upon by the French and Siamese Ministers. This officer was seen from Her Majesty's ship "Pallas" to reach the "Inconstant" in good time—about 5 P.M.—and no doubt duly delivered to the Commander the message with which he was charged; but even before his arrival the Captain of the "Pallas," who knew of the proposed arrangement, had sent one of his officers to the "Inconstant" at once on her arrival to inform her Commander that a messenger was on his way from Bangkok with instructions for him to remain outside the bar, so that there can be no doubt that he was well aware of the altered arrangements.

A small French cargo-boat, called "J. B. Say," which plies regularly between Saigon and this port, happened to arrive at the bar at the same time as the "Inconstant," and as her master is well acquainted with the navigation of the river, he was compelled to act as pilot on board the "Inconstant." It was now approaching dusk, the tide was rapidly rising, and some trading-vessels were passing through the channel to the south. As soon as they had cleared it the Commander of the "Inconstant" gave the signal to enter, the "J. B. Say" (which had already provided itself with a local pilot) leading the way. A heavy thunder-cloud with torrential rain helped to conceal the vessels from the batteries, and as soon as they were abreast of the outer fort the "Inconstant" steamed ahead, going on the flood tide at the rate of 12 knots, and exchanged shots with the forts and Siamese ships which had begun to take part in the engagement.

The firing on both sides seems to have been of the wildest, as comparatively few casualties happened to ships or men. The French have lost three men killed and the same number wounded; the Siamese return fifteen killed (solely by the machine-guns in the tops) and about twenty wounded.

The "J. B. Say" was struck by a shot after leaving the channel, and foundered shortly after. The ships were under fire altogether about twenty-five minutes.

The intelligence that the French ships had succeeded in forcing their way had scarcely reached Bangkok before the vessels themselves arrived and anchored near to the French Legation. The Siamese fleet followed closely after, intending to bring them to action in the river, but fortunately orders arrived from the King to abstain from attack, and the night was passed by both parties in making preparations for the morrow.

As those charged with the defence of the river had repeatedly assured the King that the passage of the bar had been rendered absolutely impracticable by the measures taken—sinking of ships, torpedoes, &c.—the news of the French success fell on the Court like a thunder-clap, as no preparations had been made in case of insuccess, but

everything was at once done by the King's commands to secure and maintain order, and although great excitement and alarm prevailed among the European merchants—caused chiefly by the menacing conduct and hostile demonstrations of the French ships during the night—yet nothing happened to provoke riot or revolution, and tranquillity has continued to prevail to the present time.

All danger was to be feared from the King putting into execution his original resolution of abandoning his capital and retreating into the interior, taking with him his troops, Court, and chief functionaries, under which circumstances anarchy would follow at once, and the whole city be abandoned to the criminal classes and their work of fire and plunder.

Happily, also, nothing has occurred from stoppage of trade, &c., to force the principal traders to close their rice or teak mills up to the present time, which would have thrown out of work many thousands of Chinese coolies, the most turbulent and reckless class of the population.

The arrival of Her Majesty's ship "Linnet" early on the 14th instant tended most materially to reassure those who feared immediate riot and destruction. The presence of a Dutch gun-boat also went far to restore confidence.

In spite of much that has been said, there is no reason to believe that local trade has sensibly suffered from the political tension of the last four months. Indirectly it may have been affected by the withdrawal from their usual occupations of many thousands of the labouring classes, drafted into the army or marine.

Many causes have been assigned by the chief actors themselves to explain away their failure in preventing the French vessels passing the bar—the approaching dusk, hastened by the sudden thunderstorm, obscured the view of the vessels from the forts; the obstacles in the channel were insufficient to impede their progress, and of the two torpedoes fired, one exploded too soon and the other too late.

The officer in charge of the defence wished to close the channel effectually and altogether on the morning of the 13th, but in view of the generally favourable and reassuring political prospects at that moment, and the expected arrival of the Austrian Crown Prince, his advice was overruled in the King's Council.

I have, &c.
(Signed) HENRY M. JONES.

Inclosure 1 in No. 279.

The "Bangkok Times" Express of July 16, 1893.

AS the result of communications between His Majesty's Government and Commander Borrey, of the "Inconstant"—Senior Officer of the three French gun-boats now lying in the river—no act of hostility will be committed on either side. The French have agreed to abstain from all attack upon the city or the population, while the Siamese, on their side, have engaged to treat the newly-arrived French vessels in the same way as the gun-boats of other Powers now lying in Bangkok waters.

A telegram from Paris, received here at midnight on Saturday, gives confirmation of the above agreement.

Commander Borrey has emphatically repudiated any intention of opening fire upon an undefended city, as being contrary to the usages both of civilization and warfare.

Up to the present moment, it is not intended to block the entrance to the Menam. The French cruiser "Forfait" and the English cruiser "Pallas" are both at anchor below the bar.

We would urge the population to pay no attention to the irresponsible rumours promulgated in the bazaars, of this class being the mischievous statement published as to the sinking at Bangko'lem of His Siamese Majesty's ship "Monkut Rajakumar," now anchored in a practically uninjured condition opposite the Arsenal.

Inclosure 2 in No. 279.

Extract from the "Bangkok Times" of July 15, 1893.

Official Correspondence between Siamese Minister for Foreign Affairs and French Minister Resident regarding the bringing of two additional French Gun-boats to Bangkok.

A DEPLORABLE conflict occurred on Thursday evening at Paknam, which was occasioned by the forced entrance into the Menam of two French gun-boats, and not-

withstanding the opposition of the Siamese Government duly notified to them. We are enabled to give herewith a reproduction of official documents showing that this untoward event was due to an unfortunate misunderstanding which could have been avoided if the French men-of-war had consented to wait one or two days longer for further instructions. The net result of their failure to do so is that of the French sailors three have been killed and two wounded, while on the Siamese side fifteen have been killed and thirty wounded, including a Siamese woman who was shot dead while in a railway carriage by a French bullet. Without further comment we give the letters and telegrams already referred to above, which will enable the public to form their own opinion as to the responsibilities of either party.

(No. 1.)

M. Pavie to Prince Devawongse.

M. le Ministre,

Bangkok, le 10 Juillet, 1893.

J'ai l'honneur d'informer votre Altesse que j'ai été invité par mon Gouvernement à faire connaître au Gouvernement de Sa Majesté que, le Gouvernement Anglais ayant décidé l'envoi de plusieurs bâtiments à Siam, en motivant cette mesure sur la situation troublée et la nécessité de protéger ses nationaux, le Gouvernement de la République a résolu pour les mêmes raisons de suivre cet exemple.

Deux bâtiments de la division navale doivent en conséquence rejoindre le "Lutin" à Bangkok.

En me chargeant de cette communication M. Develle m'a également invité à préciser qu'il s'agit exclusivement d'une mesure identique aux dispositions dont l'Angleterre et d'autres Puissances ont pris l'initiative.

Les deux bâtiments mis en route, sont "La Comète" et "l'Inconstant." Ils m'ont été annoncés, par l'Amiral, comme devant arriver à la barre le 15 Juillet; j'ai, par suite, l'honneur de prier votre Altesse Royale de vouloir bien donner les ordres nécessaires pour qu'ils soient pourvus de pilotes à leur arrivée.

Veuillez, &c.

(Signé) A. PAVIE.

(Translation.)

M. le Ministre,

Bangkok, July 10, 1893.

I have the honour to inform your Highness that I have been invited by my Government to make known to the Government of His Majesty that the English Government having decided to send several ships to Siam, alleging as the motive for this measure the disturbed situation and the necessity of protecting their countrymen, the Government of the Republic have resolved for the same reasons to follow this example.

Two ships of the naval division are in consequence ordered to join the "Lutin" at Bangkok.

In charging me with this communication, M. Develle has also invited me to state precisely that the action is exclusively of an identical measure with the dispositions which England and other Powers have taken in the initiative.

The two ships put *en route* are the "Comète" and the "Inconstant," and they have been announced to me by the Admiral to arrive at the bar on the 15th July. I have, consequently, the honour to ask your Highness to be kind enough to give the necessary orders for them to be provided with pilots on their arrival.

Accept, &c.

(Signed) A. PAVIE.

(No. 2.)

M. Pavie to Prince Devawongse.

M. le Ministre,

Bangkok, le 10 Juillet, 1893.

J'ai l'honneur d'informer votre Altesse que je viens d'être avisé de la part de l'Amiral Humann, que "l'Inconstant" passera la barre le 13 Juillet au soir.

Je la prie, en conséquence, de vouloir bien donner les ordres nécessaires, ainsi que je le lui ai demandé par ma lettre de ce jour.

L'Amiral insiste beaucoup pour que, conformément au Traité, ce bâtiment remonte

à la capitale, le Gouvernement lui ayant fait connaître qu'il considérait ce fait comme un droit indisputable.

Veuillez, &c.
(Signé) A. PAVIE.

(Translation.)

M. le Ministre,

Bangkok, July 10, 1893.

I have the honour to inform your Highness that I have been advised, on the part of Admiral Humann, that the "Inconstant" will pass the bar on the evening of the 13th July.

I ask, consequently, that you will be kind enough to give the necessary orders, as I have asked of you in my letter of this date. The Admiral insists strongly, as in conformity with the Treaty, that this ship may go as far as the capital, the Government having made known to him that they considered this as an unquestionable right.

Accept, &c.
(Signed) A. PAVIE.

(No. 3.)

Prince Devawongse to M. Pavie.

M. le Ministre,

Foreign Office, Bangkok, July 10, 1893.

By the letter of to-day you inform me that the English Government having decided to send several men-of-war to Siam, alleging, as a motive for this measure, the disturbed situation and the necessity of protecting their countrymen, the Government of the French Republic has resolved, for the same reasons, to follow the example, and that consequently two ships of the naval division, "La Comète" and "l'Inconstant," must rejoin the "Lutin" at Bangkok. You add that they are announced by the Admiral as intending to arrive at the bar on the 15th July.

In reply, I have the honour to state that His Majesty's Government has not till now received any notification from the English Government of any intention to send to Bangkok, or even to Paknam or anywhere into the Menam, other men-of-war than the "Swift," which is now anchored before the British Legation in the same condition as the "Lutin" is anchored before the French Legation. And, as you say that M. Develle invites you to declare precisely that the exclusive object of the intended measure is to act identically in the same way as England and other Powers, the logical conclusion which I infer from this declaration is that, as long as no other Powers will have more than one man-of-war in the Menam, France will not insist on sending other men-of-war besides the "Lutin."

Let me add that the first man-of-war that came to Bangkok, among those which are here now, is the "Lutin," and it is thus not exact to say that other Powers took the initiative as to such a measure.

I need not remind you under what threatening circumstances the "Lutin," which arrived here on the 14th March, and which even, on the 20th March, announced the intention of leaving on the 21st, was on the same day ordered to stay until further instructions, and I think there is a general conviction that, if the "Lutin" left Bangkok, no other foreign man-of-war would stay here, and the disturbed situation would be changed into a very quiet one.

Accept, &c.
(Signed) DEVAWONGSE VAROPRAKAR,
Minister for Foreign Affairs.

P.S.—This letter was written when I received your note of this evening at half-past 10, whereby you inform me that the "Inconstant" will be at the bar on the evening of the 13th July. I trust that, for the reasons which are set forth above, you will telegraph to the Admiral to show that the fact on which the sending of the ship is founded is erroneous.

I must also object to an interpretation of the Treaty which would give to any Power an absolute right to send into the territorial waters of Siam, and to the capital of the kingdom, as many war-vessels as they should like. The spirit of the Treaty cannot be that Siam should be deprived of the natural right of any nation to protect itself, and the French Government will easily understand that, under present circumstances, we cannot, without abdicating our right to exist as an independent State, adopt such interpretation.

D. V.

(No. 4.)

M. Pavie to Prince Devawongse.

M. le Ministre,

Bangkok, le 11 Juillet, 1893.

J'ai l'honneur d'accuser à votre Altesse la réception de la lettre en date d'hier par laquelle elle répond aux deux lettres que je lui ai adressées le même jour au sujet des deux bâtiments Français en route pour Bangkok.

Je n'ai pas manqué d'informer mon Gouvernement et l'Amiral des objections faites par le Gouvernement de Sa Majesté à leur entrée en rivière.

J'ai également fait connaître que j'insistais auprès de votre Altesse pour que "l'Inconstant" en attendant une réponse, mouille à Paknam conformément au Traité.

Afin d'éviter toute méprise je prierai votre Altesse de vouloir bien me recevoir demain à son heure habituelle.

Veuillez, &c.

(Signé) A. PAVIE.

(Translation.)

M. le Ministre,

Bangkok, July 11, 1893.

I have the honour to acknowledge the receipt of your Highness' letter dated yesterday, in which you replied to the two letters which I addressed to you on the same day, on the subject of the two French ships on their way to Bangkok.

I have not failed to inform my Government and the Admiral of the objections made by the Government of His Majesty to their entry into the river.

I have equally made known that I have insisted with your Highness that the "Inconstant," whilst waiting a reply, anchors at Paknam conformably to the Treaty.

In order to avoid all mistake I shall ask your Highness to be kind enough to receive me to-morrow at your usual hour.

Accept, &c.

(Signed) A. PAVIE.

(No. 5.)

Prince Devawongse to M. Pavie.

(Translation.)

M. le Ministre,

Foreign Office, Bangkok, July 11, 1893.

I am in possession of your note of to-day at 7 o'clock P.M., and will have the honour to receive you to-morrow at 6 o'clock in the afternoon.

I feel, however, obliged to state without any delay, and in order to avoid any misunderstanding, that my objections against the "Inconstant" passing the bar are of a general nature, and apply to its anchoring at Paknam as well as its going up to Bangkok.

Indeed, as no English ship, besides the "Swift," is staying in or expected to come into any part of the Menam, the main reason which induced your Government to send the "Inconstant" and the "Comète" is failing in the case of Paknam, as well as in that of Bangkok. And the reasonable interpretation which, I think, ought to be given to the Treaty, as not depriving Siam of the essential right of any State to watch over its own safety and independence, is applicable to any part of our territorial waters.

Accept, &c.

(Signed) DEVAWONGSE VAROPRAKAR.

(No. 6.)

Prince Devawongse to M. Pavie.

(Translation.)

M. le Ministre,

Foreign Office, Bangkok, July 12, 1893.

Notwithstanding your insistence, in our interview of to-day, on having the "Inconstant" and the "Comète" admitted to anchor at Paknam, it is my duty to maintain my peremptory objections, which I made in my preceding letter, against their entering the waters of the Menam, and to declare that, under present circumstances, the Government of His Majesty is unable to consent to the presence in this river of more than one war-vessel of any State. All necessary instructions to that effect have been given to our naval and military authorities.

As it is understood between us, a steam-launch of our navy will be to-morrow morning at the French Legation, to be put at your disposal for meeting the "Inconstant," and transmitting all information which you will judge necessary.

Accept, &c.

(Signed) DEVAWONGSE VAROPRAKAR.

(No. 7.)

Prince Devawongse to Prince Vadhana.

(Telegraphic.) *Bangkok, July 11, 1893, 11.30 A.M.*

Your telegram No. 35 received. The French Minister in Bangkok made another call yesterday evening, gave me two notes. It is announced that as Great Britain have sent gun-boats to protect their subjects, so France, to follow by the initiative, intends to send two gun-boats more on the 15th July. French Minister in Bangkok informs me by letter that they expect to be well supplied with a pilot and permit to come up to Bangkok according to the Treaty. We are compelled to refuse, as no more than one British gun-boat is in the Menam, and to protest against such interpretation of the Treaty as inconsistent with the integrity and independence of Siam. I maintain our right to disallow gun-boats passage into our territorial water for menacing purpose. Represent the matter to the Minister for Foreign Affairs, and telegraph me the result.

(No. 8.)

Prince Vadhana to Prince Devawongse.

(Telegraphic.) *Paris, July 12, 1893, 5.15 P.M.*

Have informed the Minister for Foreign Affairs according to your telegram of the 11th instant, and the Minister assures me that they have no intention to send gun-boats to Bangkok for menacing purpose, but only to act the same as the British Government would do. The Minister for Foreign Affairs has told me that in consequence of my representation he will telegraph immediately to countermand order with regard to gun-boats, and his Excellency also assures me that France had no intention to send troops or attack Siam in any manner. On the contrary, they had an intention to send some one to Bangkok very soon in view of friendly arrangement, and the Minister for Foreign Affairs said, "I have every hope everything will be arranged satisfactorily very soon." I have written a letter to his Excellency confirming this interview.

Let us add some of the indications resulting from a perusal of the official Reports concerning the circumstances of this conflict. It will have been seen from the foregoing correspondence that only one French gun-boat, the "Inconstant," was announced as due to arrive at the bar of the Menam on the evening of the 13th instant. Instead of this, two vessels, the "Inconstant" and the "Comète," reached there coincidentally. Now, it will also have been seen that M. Pavie, the French Minister here, would advise the "Inconstant" of the peremptory objections that had been made against the retention in the Menam waters of more than one gun-boat from each Power, and that a steam-launch would be put at his disposal to enable him to issue instructions to this effect. The Commandant of the "Inconstant" accordingly received at a quarter to 5 on the afternoon of the 13th a message inviting him to await further information. It appears, however, that, thinking he had to follow the instructions of his Admiral literally, he proceeded, about 5.30 P.M., to enter the river under the direction of the "J. B. Say," which acted as a pilot, and in this capacity took part in the action. The weather at the time was overcast and rainy. Seeing two men-of-war approaching contrary to instructions, the defenders of the fort fired a blank charge and afterwards sent eight or nine shots wide of the approaching vessels so as to afford full warning. After this the firing began in earnest, and was returned spiritedly by the two French ships. The loss sustained by the Siamese may be explained by the fact that the fort offered a good target, being clearly discernible through the mist, while the gun-boats, steaming at full speed with a favourable tide, offered only uncertain marks, though they did not escape unscathed. Our old friend the "J. B. Say," who had, as we have said, borne her part in the action, seems to have been the victim of her own daring. She has capsized at the entrance to the river, and it is believed—although we have no official verification—that this is the result of a shot. We cannot help reflecting that these

misfortunes would not have occurred if, as was first announced by the French Legation, the two gun-boats had not arrived until the 15th, as by that date all French Colonial and Naval authorities would have been in receipt of the telegraphic instructions promised by the French Minister for Foreign Affairs as a countermand to the order issued regarding this entrance into the Menam.

ROYAL PROCLAMATION.

The following is a translation of the Siamese manifesto which was placarded all over the city and suburbs yesterday morning:—

“By His Majesty’s Orders.”

“When the disputes regarding the frontier between the French possessions and Siam commenced, the French sent one man-of-war to guard the interests of persons under their jurisdiction. They did this for a long time, and now, alleging that an English man-of-war has come to protect English interests, they have asked that two other men-of-war should be allowed to enter the river for this object. The French Minister in Bangkok asked for permission that the two boats might enter the river; but it being our opinion that the present time was not opportune to have more than one man-of-war of each nation anchored in the river, we consulted with him, and a telegram was sent to the French Government in Paris, and a reply was received that they would not insist on sending more men-of-war into the river. On his side, the French Minister at this capital agreed that the vessels should be informed of our objections and required not to come up. He asked for a steamer for an officer to go out and inform the vessels of this state of things. The two vessels, however, proceeded up to Paknam at the Chula Chom Klao Fort. The officers in charge fired a blank shot in the usual way. The two vessels took no notice, but returned the fire, and proceeded up the river and anchored at the French Legation.

“There is every reason to hope that a mere misunderstanding has occurred, as the telegram from Paris clearly states that the Foreign Minister would avoid everything calculated to give offence to His Majesty the King. Let the people, therefore, not be alarmed, or fear that a state of war will arise in Bangkok. There are now three French men-of-war in the river, and we feel assured that they will not try to take advantage of any harm which they may inflict upon us. We cannot suppose that the 300 men in their boats will undertake to land and attack the numerous soldiers who have to defend our populous city. But it appears that the fear of the people is aroused by the fact that they do not know all particulars. Under these circumstances His Majesty has been pleased to order the Local Government Department to take the necessary measures to have private and public property protected against evil characters. His Majesty has himself inspected the troops, and was greatly pleased to notice that all measures have been taken to protect his loyal and honest subjects. Regarding the whole question, conferences still take place between His Majesty’s Government and the Government of the French Republic both in Bangkok and in Paris, as may be seen from the diplomatic correspondence relating to this subject. Therefore let all people remain quiet and live in peace among themselves and with those foreigners of all nationalities who are living amongst us under His Majesty’s protection.”

No. 280.

Captain Jones to the Earl of Rosebery.—(Received August 21.)

My Lord,

Bangkok, July 20, 1893.

IN view of the repeated statements that the French troops are in complete occupation of the territory claimed by them to the east of the Mekong, and that the Siamese have retired altogether to the other side of that river, I beg leave to supply your Lordship with the following details of the military situation in that district, according to the most recent advices received by the Siamese Government from its Chief Commissioner on the Mekong, and forwarded by him to this capital about twelve days since.

There are three chief passes through the mountains which bound Annam to the west. These are:—

1. Kam Muen.
2. Ailao.
3. Stung Treng.

And five chief rivers which flow from thence to the Mekong; these on M. Pavie's map are:—

1. Nom (or Se) Hing Boun, latitude 18°.
2. Se Bong Fai, latitude 17°.
3. Se Bang Hiong.
4. Nam Done.
5. Nam Kong.

(The words Se or Nam, meaning river, are used indiscriminately.)

These passes and rivers offering the only means of communication through this impracticable country, all the military operations have been conducted hitherto entirely in connection with them, and at present the French occupy the following posts to east of Mekong:—

On the 1st river Kam Muen, latitude 18° 15', Muang Pin and Muang Pong, latitude 16° 30', and the greater part of the 3rd river.

On the other hand, the Siamese continue to hold the whole of the 2nd and 4th rivers, and the important post of Attapé on the 5th river, and apparently no serious effort has yet been made to dislodge them from any of these.

I have, &c.
(Signed) HENRY M. JONES.

No. 281.

Admiralty to Foreign Office.—(Received August 21.)

Sir, *Admiralty, August 17, 1893.*
I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of the Secretary of State, copy of a letter, dated the 12th July last, with inclosures, from Captain Angus MacLeod, of Her Majesty's ship "Pallas," reporting the action he had taken in connection with matters in Siam.

I am, &c.
(Signed) C. J. THOMAS (*pro Sec.*).

Inclosure 1 in No. 281.

Captain MacLeod to Admiralty.

Sir, *"Pallas," off mouth of Menam River, Bangkok,
July 12, 1893.*
OWING to the distance from Hakodate and irregularities of opportunities for communication with the Naval Commander-in-chief in China, I deem it advisable, under the provisions of Article 1890, p. 691, Admiralty Instructions, to submit to you, for the information of my Lords Commissioners of the Admiralty, copies of correspondence affecting the present state of affairs existing between France and Siam.

I have, &c.
(Signed) ANGUS MACLEOD.

Inclosure 2 in No. 281.

*Captain MacLeod to Vice-Admiral Sir E. Fremantle.**"Pallas," Bar Anchorage, mouth of Menam*
[undated].

Sir,

I HAVE the honour to report that at a late hour last night, when at Koh-si-Chang Island in Her Majesty's ship under my command, I received a note from Commander Kirby, of the "Swift," at Bangkok, dated the 11th July, 9 A.M., conveying important news, which I quote for your information.

M. Pavie handed a letter to His Royal Highness Prince Devawongse at 6 P.M. on the 10th instant, saying that, having heard that several English men-of-war were coming to Bangkok for the protection of British life and property in consequence of its disturbed state, the French intended to do the same by sending the "Inconstant" and "Comète" to join the "Lutin" at Bangkok, and requesting that pilots might be directed to meet them.

At 11 P.M. M. Pavie handed in another letter, saying that Rear-Admiral Humann insisted on the right, according to Treaty, of sending as many ships as he wished up the Bangkok River, and that the "Inconstant" would cross the bar on the evening of the 13th instant.

In reply, M. Jacquemyns had stated that only one English man-of-war, the "Swift," was up the river at Bangkok; that the Siamese had not been informed of any other coming up; that as the French "Lutin" was at Bangkok some time before the "Swift" arrived, it was hardly correct to assert that the English took the initiative in sending up.

Later, on receipt of second letter, M. Jacquemyns added a postscript to the effect that it was monstrous to think that any capital was obliged to receive an unlimited number of foreign men-of-war, and that the Siamese Government protested against any more French ships coming up.

M. Jacquemyns told Commander Kirby that orders would be sent to the forts to fire.

In view of this intelligence I brought the "Pallas" over to the bar this morning, and in hopes of being able to even yet assist in averting the collision unfortunately threatening between the French and Siamese forces, I dispatched a letter to the Minister Resident (copy, triplicate, inclosed) empowering him to refute the vague statements of M. Pavie as to several English men-of-war coming to Bangkok, of which I sincerely hope you will approve.

I have, &c.
(Signed) ANGUS MACLEOD.

Inclosure 3 in No. 281.

Captain MacLeod to Captain Jones.

(Extract.)

"Pallas," off mouth of Menam River, July 12, 1893.

HAVING heard from Commander Kirby, at a late hour last night, that matters at issue between the Siamese and French reached an acute stage on the 10th instant owing to certain demands made by the latter as to sending more men-of-war up the river, I have deemed it wise to come over to this anchorage, in Her Majesty's ship under my command, for convenience of communication with you, as well as to watch carefully the further development of the question that has been raised.

I understand that considerable stress has been laid by the French Minister upon what he is pleased to call "the English initiative" in sending more ships for the protection of British interests, and that he talked of "several vessels coming."

If M. Pavie felt at all puzzled or perplexed by floating reports he might well have satisfied himself by asking me one direct question at our pleasant interview on the 6th instant. As a diplomatic official of great experience, none can know better than he how little reliance is to be placed in rumours and newspaper assertions. None should know better how often assumptions are falsified by facts.

However, I trust I am not too late to remove erroneous impressions, and I would first of all point out that, as Senior Naval Officer of the Straits of Malacca Division, I am responsible to my Commander-in-chief for a general supervision of a large portion of the South China Seas, including Siam, Borneo, Java, Sumatra, and Malay Peninsula.

This may well account, I think, for the short visit of the "Pallas" off the mouth of the Menam and to Koh-si-Chang early in June, and, upon hearing the serious news of the partial closing of the river, a similar visit now. As "eyes to the Admiral," it is my duty to keep him well informed, and there are times when that duty can only be carried out in person.

The "Swift" was only sent to Bangkok after the "Lutin" had been there some weeks, and then because, rightly or wrongly, there was an uneasy apprehensive feeling abroad that rendered precautions necessary to guard against any rioting that might possibly take place in the event of trouble between Siam and France.

Upon hearing of the partial closing of the river, and the deductions naturally following such a step, it has seemed prudent to have a second British man-of-war near enough to, but outside of, the Menam, ready for an emergency such as would possibly occur if, unfortunately, hostilities broke out.

For this service the "Plover" gun-boat was detailed by our Admiral, but, owing to her being damaged in collision, the "Linnet" has been substituted (a gun-vessel), and I expect her in the course of a couple of days.

It was my intention to get the "Swift" out, and then send the "Linnet" in, so that the former might have a good sea cruise, but beyond asking permission for the entrance of the second ship "in case of actual necessity," absolutely no steps have been taken that can form a precedent to M. Pavie or to Admiral Humann for the most serious action they are credited with having in contemplation.

I may tell you that, so satisfied was I with the due precautions established, and so impressed with the hope that all was tending to a satisfactory solution of the Franco-Siamese question, that I had arranged for my own return to Singapore after seeing the "Swift" and "Linnet" change take place, and even proposed to our Admiral to remove the "Swift" altogether, and replace her with a smaller vessel.

Although unusual to publish the movements of ships of the squadron, you are at liberty to use any of the information I have given you as best calculated to allay any misapprehensions and misunderstandings that mere surmises may have brought about.

No. 282.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, August 21, 1893, 5:30 P.M.

I SHOULD be glad to learn whether any foreign gun-boats are now at Bangkok, and whether Her Majesty's ship "Linnet" is still there.

No. 283.

Captain Jones to the Earl of Rosebery.—(Received August 21, 9:30 P.M.)

(Telegraphic.)

Bangkok, August 21, 1893, 7:10 P.M.

THE King of Siam gave audience yesterday to the French Envoy Extraordinary and Minister Plenipotentiary. The usual complimentary formalities were exchanged. In the correspondence which took place previous to the interview the French Envoy asserted that his instructions compelled him to refuse all intervention of any foreign adviser, and forbade him to discuss matters with any but the King or His Majesty's Minister.

No. 284.

Captain Jones to the Earl of Rosebery.—(Received August 21, 11 P.M.)

(Telegraphic.)

Bangkok, August 21, 1893, 9:50 P.M.

APPARENTLY the French Minister here spoke on his own authority when he asserted that French troops would not occupy the town of Chantaboon. Intelligence has just arrived of its military occupation. Orders to this effect were given from the Governor-General of Cochin China. All knowledge of this proceeding is denied by the French Plenipotentiary.

No. 285.

Captain Jones to the Earl of Rosebery.—(Received August 22, 9.30 A.M.)

(Telegraphic.)

Bangkok, August 22, 1893, 12.35 A.M.

THE German vessel "Wolff" and French ship "Alouette" are now the only foreign war-vessels in the Menam. The "Linnet" left for Hong Kong on the 17th instant.

No. 286.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, August 22, 1893, 2.15 P.M.

I HAVE received your telegram of the 22nd instant, stating that Her Majesty's ship "Linnet" had left Bangkok. The intended departure of this vessel should have been notified to this Department or to the Admiralty. Is any other British gun-boat expected to replace the "Linnet," and do you consider that the presence of one is needed? You should report all arrivals and departures of ships of war at Bangkok.

No. 287.

Captain Jones to the Earl of Rosebery.—(Received August 23.)

(Telegraphic.)

Bangkok, August 23, 1893.

M. LE MYRE DE VILERS' negotiations are proceeding smoothly, and I have not heard of any difficulties arising. The only question on which some misunderstanding may have occurred was with regard to the occupation of the town of Chantaboon by Annamite troops, but this was soon settled.

Her Majesty's ship "Linnet" was ordered to Hong Kong on the 16th instant. I do not expect that another gun-boat will be sent to replace her, and at present there seems no need for the presence of a British man-of-war.

No. 288.

Foreign Office to Admiralty.

Sir,

Foreign Office, August 23, 1893.

I AM directed by the Earl of Rosebery to state, for the information of the Lords Commissioners of the Admiralty, that he considers it important that at least one British vessel of war should be stationed in Siamese waters while the negotiations between France and Siam are proceeding.

His Lordship would therefore be glad if the Lords Commissioners would give the requisite orders for replacing the "Linnet" with as little delay as possible.

I am, &c.

(Signed) T. H. SANDERSON.

No. 289.

Captain Jones to the Earl of Rosebery.—(Received August 24, 6.30 P.M.)

(Telegraphic.)

Bangkok, August 24, 1893, 2.50 P.M.

AT the first meeting of the Plenipotentiaries of France and Siam Articles were proposed for the new Treaty of Peace and Friendship, of which the following is the tenour:—

1. Government of Siam recognize rights of sovereignty of Annam and Cambodia over the islands in the Mekong and all the territories on left bank of the river.
2. Police of the Mekong River and of Great Lake belongs to French Government, and on these waterways the Siamese Government renounces the right to keep any armed boats or vessels.

3. No fortified post or military establishment shall be constructed by the Siamese Government within a radius of 25 kilom. on the right bank of the River Mekong or in the Provinces of Angkor and Battambang; within these limits all such will be destroyed.

4. Nothing as regards the actual native administration will be changed in these reserved zones. The local authorities there will maintain no regular or irregular force, but the police will be under their direction.

5. In the zones above specified no customs will be established, nor will any taxes be levied on imports or exports.

6. On the right bank of the Mekong the French Government may construct depôts of wood and coal, and any works necessary to navigation.

7, 8, and 9. These relate to Consular and passport matters, and were not read.

10. Those under French protection and French subjects registered in Consulate are all under French jurisdiction.

11. French text will be alone valid.

These Articles are all, it will be noticed, in excess of terms accepted in the ultimatum.

No. 290.

Admiralty to Foreign Office.—(Received August 25.)

Sir,

Admiralty, August 24, 1893.

IN reply to your letter of the 23rd instant, relative to the importance of a British vessel of war being stationed in Siamese waters while the negotiations between France and Siam are proceeding, I am commanded by my Lords Commissioners of the Admiralty to request that you will inform the Earl of Rosebery that a telegram has this day been sent to the Senior Naval Officer at Singapore, directing the "Linnet" to be replaced there as soon as possible, and that he should inform the Admiral, and report.

I am, &c.

(Signed) R. D. AWDRY.

No. 291.

Captain Jones to the Earl of Rosebery.—(Received August 25, 10.30 A.M.)

(Telegraphic.)

Bangkok, August 25, 1893.

IN the conference this morning the French Plenipotentiary altogether changed his former manner. He insisted on acceptance in principle of all the additional conditions referred to in my telegram of the 24th instant, and hinted that otherwise matters might change for the worse, as France has now four war-ships in the Gulf of Siam. A few more advantages for French colonials, he added, would be asked for, in return for which France would grant two favours, which were not, however, specified. The expulsion of all "Danish mercenaries" from Siam as also required.

No. 292.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, August 25, 1893.

WITH reference to your telegram of the 23rd instant, I have to inform you that the naval authorities at Singapore have been instructed to send another vessel to Bangkok as soon as possible to replace Her Majesty's ship "Linnet."

No. 293.

Admiralty to Foreign Office.—(Received August 26.)

Sir,

Admiralty, August 25, 1893.

WITH reference to my letter of yesterday's date, respecting the "Linnet" being replaced in Siamese waters as soon as possible, I am commanded by my Lords Commis-

sioners of the Admiralty to acquaint you, for the information of the Secretary of State, that they have this day received a telegram from the Senior Naval Officer at Singapore stating that the "Swift," from Penang, complies with the order.

I am, &c.
(Signed) R. D. AWDRY.

No. 294.

Captain Jones to the Earl of Rosebery.—(Received August 28.)

My Lord,

Bangkok, July 25, 1893.

I HAVE the honour to forward to your Lordship the accompanying copies of correspondence which has recently passed between the French Minister here and the Siamese Government on the matter of the French ultimatum and its reception by the latter, which the Representative of the French Republic affects to regard as a refusal of its demands, and accordingly notifies the immediate withdrawal of the French Legation from Bangkok, and begs that pilots may be supplied to take the three French gun-boats which are now at Bangkok over the bar of the river.

I have, &c.
(Signed) HENRY M. JONES.

Inclosure 1 in No. 294.

Prince Devawongse to M. Pavie.

(Translation.)

M. le Ministre,

Bangkok, July 22, 1893.

IN reply to communication which by order of your Government you handed to me on Thursday, the 20th instant, at a quarter to 7 o'clock in the evening, I am instructed by His Majesty the King, my august Master, to make the following declaration :—

1. His Majesty regrets that no distinct definition was ever given to him of what he is to understand by the "rights" of the Empire of Annam and of the Kingdom of Cambodia on the left bank of the Mekong and on the islands. He always was prepared to abandon any territory to which such rights should be proved, and already five months ago he proposed to defer any contested points to international arbitration. Now, however, he submits to the pressure of circumstances, and, in order to restore peace to his people and security to the numerous trading interests engaged in this country, he consents that, in the delimitation of frontier between Siam and Annam or Cambodia, the whole territory on the left bank of the Mekong situated south of a line drawn from the most northern Siamese military post recently occupied by Franco-Annamite troops to a point situated at the same latitude, say 18 degree of northern latitude on the left bank of the Mekong, will be considered as Annamite or Cambodian territory, the river below this point being made the dividing line between the neighbouring States until it enters the territory of Cambodia, the use of the islands for navigation purposes being common to the three bordering States.

2. The Siamese military posts still existing in the aforesaid territory will be evacuated within one month.

3. His Majesty sincerely deplores the losses of lives which, on both sides, were the consequences of the incidents of Thung Xieng Khan, of Khammian (Kengchek), and of the fatal collision which occurred at the entrance of the Menam. The Bang-bien will be released, and other satisfaction will be given if necessary, as far as they are compatible with ordinary justice and with the independence of the Siamese Government, which the French Government has declared it will respect.

4. The persons found guilty of individual aggression, contrary to national or international law, against French subjects will be condignly punished, and any pecuniary reparations due will be given to the families of the victims.

5. A long correspondence was exchanged between us relating to certain claims made by French subjects for damages which they allege to have suffered by the fault of Siamese officials. I contended, in the name of the Siamese Government, that no damages were due because we considered there was no fault on the part of the Siamese officials. Now His Majesty, guided by the same consideration as aforesaid, consents not to insist on the question of principle, and to pay to the Government of the French Republic a sum of 2,000,000 fr. to cover the amount of damages which may be found to

have been really suffered in all or any of the above-mentioned cases. The Siamese Government would suggest, without making it a condition therefore, that the appreciation of these amounts and of the pecuniary reparation whereof question in the 4th paragraph might be deferred to a Joint Commission.

6. An immediate deposit of 3,000,000 fr., in dollars, as a guarantee for the afore-said pecuniary reparation and for the indemnity, will be made concurrently with the exchange of notes between us.

His Majesty's Government, having reason to believe that the estimate of 3,000,000 fr. considerably exceeds the amount of pecuniary reparation and indemnity which may be found due after full inquiry, trust in the justice of the French Government for the returning of such part of the deposited money which may remain after a full settlement of all cases.

His Majesty's Government trust that the compliance with the demands of the French Government resulting from foregoing declarations will be considered as proving their sincere desire of living in good and friendly terms with the French Republic, and of settling in a complete and definite manner all questions pending between the two Governments.

Accept, &c.
(Signed) DEVAWONGSE VAROPRAKAR.

Inclosure 2 in No. 294.

M. Pavie to Prince Devawongse.

M. le Ministre,

Bangkok, le 23 Juillet, 1893.

J'AI l'honneur d'accuser réception à votre Altesse de la réponse que, au nom du Gouvernement de Sa Majesté le Roi de Siam, elle a faite à la communication que je lui ai remise au nom du Gouvernement de la République Française.

J'en ai pris acte, en constatant, sans entrer dans la discussion d'aucun des points, que cette réponse comporte le refus d'une partie considérable de la rive gauche du Mékong.

Veillez, &c.
(Signé) PAVIE.

(Translation.)

M. le Ministre,

Bangkok, July 23, 1893.

I HAVE the honour to acknowledge the receipt of the reply your Excellency, on behalf of the Government of His Majesty the King of Siam, has made to the communication which I left with you on behalf of the Government of the French Republic.

I have taken act of this reply, and, without entering upon a discussion of any of the points, I note that it involves the refusal of a considerable portion of the left bank of the Mekong.

I have, &c.
(Signed) PAVIE.

Inclosure 3 in No. 294.

M. Pavie to Prince Devawongse.

M. le Ministre,

Bangkok, le 23 Juillet, 1893.

PAR suite du départ des trois bâtiments Français, j'ai l'honneur de prier votre Altesse pour que trois pilotes se rendent à la disposition du Commandant Bory le 25 dans la soirée.

Veillez, &c.
(Signé) PAVIE.

(Translation.)

M. le Ministre,

Bangkok, July 23, 1893.

IN consequence of the departure of the three French vessels, I have the honour to request your Excellency that three pilots may place themselves at the disposition of Commander Bory on the evening of the 25th.

I have, &c.
(Signed) PAVIE.

Inclosure 4 in No. 294.

M. Pavie to Prince Devawongse.

M. le Ministre,

Bangkok, le 23 Juillet, 1893.

POUR faire suite à la lettre en date de ce jour, dans laquelle j'ai pris acte de la réponse du Gouvernement Siamois aux demandes Françaises, j'ai l'honneur d'informer votre Altesse que, me conformant aux instructions de mon Gouvernement, je remets la protection de nationaux et ressortissants Français au Consul-Général des Pays-Bas, et m'embarque sur "l'Inconstant" partant le 26 Juillet.

Veuillez, &c.
(Signé) PAVIE.

(Translation.)

M. le Ministre,

Bangkok, July 23, 1893.

IN continuation of my letter of this day's date, in which I took act of the reply of the Siamese Government to the demands of France, I have the honour to inform your Highness that, in conformity with the instructions of my Government, I am transferring the protection of French nationals and protected persons to the Netherlands Consul-General, and embark on the "Inconstant," leaving 26th July.

I have, &c.
(Signed) PAVIE.

Inclosure 5 in No. 294.

Prince Devawongse to M. Pavie.

M. le Ministre,

Bangkok, July 24, 1893.

I HAD the honour to receive successively your three letters dated yesterday, the 23rd instant.

By your first letter you state that, without entering into the discussion of any point of our answer to your communication of the 20th instant, this answer implies the refusal of a considerable part of the left bank of the Mekong.

Allow me to remark that your communication asked not for delivery of the left bank of the Mekong, but for "the acknowledgment" by His Majesty's Government "of the rights of the Empire of Annam and of the Kingdom of Cambodia on the left bank of the Mekong and of the islands.

The reply of His Majesty's Government was to the effect that no distinct acknowledgment could be made of rights whereof no distinct definition had ever been given, and our answer on the first point might have ended there. But His Majesty went further. Being desirous to give an immediate and substantial proof of his peaceful intentions, he declared his willingness to abandon to Annam or Cambodia the full sovereignty over an extensive tract of territory, including not only all military posts whereof the occupation by Siamese troops had lately been a subject of disputes, but the places of Stung Treng and Khone, where Siamese sovereignty was hitherto undisputed. If this is not considered as satisfactory by your Government, I must so much the more insist for a definition of the nature and extent of what you call the rights of Annam and Cambodia on the left bank of the Mekong.

By your second letter you inform me that, in conformity with the instructions of your Government, you intrust the protection of subjects belonging to French nationality or jurisdiction to the Consul-General of the Netherlands, and that you go on board of the "Inconstant," leaving on the 26th July. I am instructed by His Majesty my august Master to express his regret and surprise at this unexpected decision, and I must add my own regret for the interruption of personal friendly relations between us.

By your third letter you ask that, in consequence of the departure of the three French men-of-war, three pilots should be put, on the evening of the 25th instant, at the disposal of Commandant Bory. I have the honour to inform you that this will be done.

Accept, &c.
(Signed) DEVAWONGSE.

No. 295.

Consul Tremlett to the Earl of Rosebery.—(Received August 29.)

My Lord,

Saigon, July 30, 1893.

FRENCH fleet, Admiral in command, just leaving [for] nearest port [Bangkok]. The fleet was composed of "Triomphante," "Vipère," "Alouette," and several torpedo-boats.

I also inclose copies of sundry telegrams concerning operations in the interior.

I have, &c.

(Signed)

C. F. TREMLETT.

Inclosure 1 in No. 295.

Telegram.

[No date.]

LE 17 Juillet à Khône, les troupes commandées par le Capitaine Adam de Villiers ont achevé de prendre leurs dispositions en vue de l'enlèvement du fort Siamois situé dans l'île de Donson. Vers 2 heures de l'après-midi le fort de Donson a élevé un drapeau blanc et les Siamois ont envoyé au Capitaine un parlementaire avec lettre du Prea Pitcha l'invitant à cesser le feu, des ordres ayant été envoyés de Bangkok et le Commandant de la Marine Française venant d'arriver dans cette ville pour traiter de la paix. Le Capitaine Adam de Villiers a répondu d'avoir reçu aucune instruction à ce sujet et néanmoins être prêt à cesser les hostilités si les Siamois lui remettaient Donson et les forts. Il a ajouté que dans le cas contraire et s'il ne recevait pas une réponse favorable avant le 19, à 5 heures du matin, il recommencerait le feu.

(Translation.)

[No date.]

ON the 17th July, at Khône, the troops commanded by Captain Adam de Villiers finished taking up their position with a view to carrying the Siamese fort situated on the Island of Do Son. About 2 o'clock P.M. the fort of Do Son hoisted a white flag, and sent a man to parley with the Captain with a letter from the Prea Pitcha, calling on him to cease firing, orders having been sent from Bangkok, and the Commander of the French naval force having arrived in that town to negotiate for peace. Captain Adam de Villiers answered that he had received no instruction on this subject, but that he was, however, ready to cease hostilities if the Siamese would hand over Do Son and the forts to him. He added that, in the contrary case, and if he did not receive a favourable reply before the 19th, at 5 o'clock in the morning, he would reopen fire.

Inclosure 2 in No. 295.

Telegram from Lieutenant-Governor Fourès.

Stung-Treng, le 20 Juillet, 1893.

HIER à 5 heures du matin le Capitaine Adam de Villiers a ouvert le feu sur Donson et pris successivement Dondua et Donnhan; toutes les îles environnant Donson du sud-ouest au nord-est sont donc maintenant évacuées par les Siamois, qui sont confinés exclusivement à Donson, où leur résistance devient presque nulle. Le Capitaine estime que la reddition de l'île n'est qu'une affaire de temps. Dans les combats du 14 les Siamois ont eu exactement 300 hommes hors de combat, dont 120 tués. État moral de nos troupes excellent, état sanitaire s'améliore.

(Translation.)

Stung-Treng, July 20, 1893.

AT 5 o'clock in the morning yesterday Captain Adam de Villiers opened fire on Do Son, and took successively Dondua and Donnhan; all the islands surrounding Do Son from the south-west to the north-east are thus now evacuated by the Siamese, who are

thus confined exclusively to Do Son, where their resistance hardly has any effect. The Captain considers the surrender of the island to be only a matter of time. In the engagements of the 14th the Siamese had exactly 300 men *hors de combat*, among them 120 killed. The moral condition of our troops is excellent, the sanitary condition improving.

Inclosure 3 in No. 295.

Telegram.

Stung-Treng, le 21 Juillet, 1893.

LE fort de Donson a été enlevé hier 20 Juillet à 10 heures du matin par les troupes du Capitaine Adam de Villiers, sans que nous ayons eu ni tués ni blessés. L'infanterie de marine a débarqué la première dans l'île, qui était défendu par trois ouvrages des plus sérieux au nord, au centre et au sud.

Les pertes totales de l'ennemi dans ces quelques jours ont été de 500 hommes, dont 300 tués.

(Translation.)

Stung-Treng, July 21, 1893.

THE fort of Do Son was carried yesterday, the 20th July, at 10 A.M., by the troops of Captain Adam de Villiers, without any of our men being killed or wounded. The marine infantry were the first to land on the island, which was defended by three most important works at the north, centre, and south.

The total losses of the enemy during these few days were 500 men, of which number 300 were killed.

Inclosure 4 in No. 295.

Telegram.

M. BLANCHET communique le télégramme suivant :—

“Thompong-chuang, le 24 Juillet, 1893.

“Capitaine Thoreux avoir trouvé grand lac pris passage à bord ‘Colibri.’—
LIMGIOC.”

Le “Colibri” venant de Battambang en route Pnom Penh, où il arrivera soir 24 Juillet.

(Circulaire.)

Le Lieutenant-Gouverneur de la Cochinchine a l'honneur de porter à la connaissance du public le télégramme suivant :—

“Résident Supérieur à Lieutenant-Gouverneur, Saigon.

“Saigon, le 24 Juillet, 1893.

“Entrepouseur douanes Thompong Chuang télégraphe :—

“Capitaine Thoreux qui arrive du Siam est passé à minuit à Thompong Chuang sur “Colibri” trois tirailleurs et un interprète. Il arrivera ce matin Lundi vers 10 heures à Pnom Penh.”

Le Lieutenant-Gouverneur,
(Signé) FOURÈS.

(Translation.)

M. BLANCHET communicates the following telegram :—

“Thompong-chuang, July 24, 1893.

“Captain Thoreux having found the great lake, embarked on the ‘Colibri.’—
LIMGIOC.”

The “Colibri,” coming from Battambang, is on the way to Pnom Penh, where she will arrive in the evening of the 24th July.

(Circular.)

The Lieutenant-Governor of Cochin China has the honour to inform the public of the following telegram :—

“ Principal Resident to Lieutenant-Governor, Saigon.

“ Saigon, July 24, 1893.

“ The Customs Agent at Thompong Chuang telegraphs :—

“ Captain Thoreux, who is coming from Siam, passed Thompong Chuang at midnight on board the “ Colibri ” with three riflemen and an interpreter. He will reach Phnom Penh this morning, Monday, about 10 o'clock. ”

The Lieutenant-Governor,
(Signed) FOURÈS.

Inclosure 5 in No. 295.

Official Telegram.

Gouverneur-Général à Lieutenant-Gouverneur, Saigon.

Saigon, le 25 Juillet, 1893.

JE reçois des Colonies le télégramme suivant :—

“ Par un vote unanime Chambre et Sénat ont exprimé confiance dans l'énergie du Gouvernement pour faire reconnaître et respecter droits France en Indo-Chine.

“ En conséquence ultimatum a été signifié Jeudi soir à Bangkok réclamant rive gauche depuis sortie de Chine du Mékong ; châtimement des meurtriers de Groscurin, réparation dommages à natifs et protégés, et dépôt comme garantie de ces réparations la somme de 3,000,000 ou remplacer par la perception des formes et revenus de Battambang et Angkor.

“ Délai de quarante-huit heures a été donnée pour accepter ces conditions. ”

(Translation.)

Governor-General to Lieutenant-Governor, Saigon.

Saigon, July 25, 1893.

I HAVE received the following telegram from the [Ministry of the] Colonies :—

“ The Chamber and Senate have, by an unanimous vote, expressed their confidence in the energy of the Government to make the rights of France in Indo-China recognized and respected.

“ An ultimatum was consequently issued on Thursday night at Bangkok demanding the left bank of the Mekong from where it leaves China, the punishment of the murderers of Groscurin, compensation to natives and protected persons, the deposit of a sum of 3,000,000 fr. as a guarantee of this indemnity, or to be replaced by the collection of the and revenues of Battambang and Angkor.

“ A delay of forty-eight hours has been accorded to accept these conditions. ”

No. 296.

Admiralty to Foreign Office.—(Received August 29.)

Sir,

Admiralty, August 25, 1893.

I AM commanded by the Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State, copy of a despatch from Captain Angus MacLeod, of Her Majesty's ship “ Pallas,” dated the 14th July last, reporting on the hostilities which took place between the French and Siamese inside the bar of the Menam River on the 13th ultimo.

I am, &c.
(Signed) R. D. AWDRY.

Inclosure in No. 296.

Captain MacLeod to Admiralty.

(Extract.)

"Pallas," at mouth of Menam River, July 14, 1893.

I REGRET having to report that last evening hostilities took place inside the bar of this river between the French and Siamese forces.

Early in the day I received a note from Commodore Richelieu, Siamese navy, in which he said: "The 'Inconstant' will probably arrive here to-day, but, as M. Pavie has agreed to send out a launch with an officer on board from the 'Lutin' to tell her to remain outside the bar, we do not expect any immediate violence."

Only about 3.30 P.M. I had a communication from Captain Jones, V.C., our Minister Resident, from which I quote. It was written during the forenoon: "I am pleased to be able to inform you that there is good reason to believe that the French have reconsidered their position, and that more reasonable and conciliatory counsels will prevail. . . . M. Pavie has borrowed from the Siamese a launch, in which he will meet the 'Inconstant' this evening at the mouth of the river, and endeavour to persuade her not to proceed any further, but to anchor outside the bar."

I think these extracts will show how little the subsequent proceedings were expected; in fact, there was everywhere a sort of relieved feeling, the prospect looking so much better.

Anchored outside the river, a pilot schooner and an old paddle-hulk have been used, the former as a pilot dépôt, and the latter for Captain Vie, Siamese Harbour-master. Captain Vie has had instructions for some time past to board any French men-of-war arriving, and request them not to cross the bar. He was provided with a code of signals, with which, by repetition from the bar lighthouse, Paknam could be kept informed of all movements outside the river.

About 3 P.M. yesterday two steamers were sighted coming from the eastward. They proved to be the French "Inconstant" and "Comète," and a little later on a small steamer, flying neither pendant nor any sort of Government badge, but also French, was noticed, apparently heading them and in company with them.

These vessels came up very fast, steering towards the pilot schooner, near which the private steamer anchored, and a pilot boarded her. I understand that he was detained on board; at any rate, he did not return to the dépôt.

To offer the usual civilities I sent Lieutenant Edwards in the steam pinnace, and gave him a courteous message to the Commander of the "Inconstant" that I had "information that M. Pavie was on his way down the river to meet him *outside* the river." I thought thus to remove all possible risk of a collision with the forts in case the Commander should go straight in.

Lieutenant Edwards boarded the "Inconstant," and delivered my message to the Commander through an officer who interpreted, repeating it twice, and being assured that it was quite understood.

Captain Vie boarded the "Inconstant" just afterwards, and delivered his instructions and request. He was told that "they were going to Bangkok." Then he returned to the hulk, and hoisted signal, "Keep prepared."

The "Inconstant" and "Comète" did not anchor at all, but kept on the move (several boats went away, apparently sounding). Though not "cleared for action" in the usual sense of the term, they were fully prepared for it.

At 5.10 P.M. the French Minister or one of his Deputies went on board the "Inconstant," remained about ten minutes, left, and proceeded up the river. He was in a Siamese launch.

As soon as he passed in, the private steamer weighed, and, followed by the "Inconstant" and "Comète," made for the river, apparently at full speed. It had just turned high water with 14 feet on the bar.

The ships rapidly neared the turning buoy, well over the outer bars, and at 6.30 P.M., exactly when $1\frac{1}{2}$ to 2 miles from the west fort (distance from "Pallas" in a direct line 7 miles), shots were fired across their bows. They immediately cleared for action, and hoisted large French ensigns at each masthead.

The fire upon them now quickened, but still they stood on without replying, until 6.45, when they opened upon the fort. Roughly, eighteen shots were counted from the shore before the French ships commenced work.

Darkness closing in, our glasses failed to make out with any exactitude what was going on, but the flashes showed us a brisk exchange of shots until 7.5 P.M., when the firing ceased for nine minutes. At 7.19 the flashes showed a specially rapid discharge, and at 7.24 all was silent.

Three English steamers came out on the afternoon tide (just before the French ships went up), and reported the final closing of the passage, and that four Siamese gun-boats had been drawn across inside the line of sunken ships, to aid in forming the defence.

Details of the fight I hope to get presently, but I may say that at 10 P.M. I received news by a launch that the "French ships had passed the forts during the rain and darkness, and the Siamese were following them up to Bangkok."

Feeling very anxious for the safety of the Europeans, especially in case of any further action between the French and Siamese near the capital, I took advantage of the opportunity to send up an armed party under Senior Lieutenant Moore to reinforce Commander Kirby and the "Swift's" protecting force at the British Legation and in its vicinity.

The "Linnet" arrived at 11 P.M., and I did not hesitate to order her into the river under the circumstances. She was just able to get over the outer bar, anchored outside the inner one until daylight this morning, and I observed her moving up at 6 A.M., so that she would reach the Legation about 10 A.M.

Having received information from a private source that the French cruiser "Forfait" was expected to-day, I waited to meet her and find out her mission, feeling puzzled to account for her appearance, and drawing certain inferences from the fact very desirable to prove or disprove.

At 8:30 I observed her coming from the direction of Koh-si-Chang at considerable speed, and at about 9:30 A.M. she anchored.

Upon one of the officers coming to return the preliminary visit, I told him that the "Inconstant" and "Comète" entered the river last night under fire, and that if Captain Reculoux desired further information as to the circumstances antecedent to and occurrences consequent upon the action, I was prepared to give them to him.

Captain Reculoux, Senior Naval Officer, called upon me at 11:30 A.M., and we had a long and most interesting conversation. I may at once say that I succeeded in quite changing his first opinion of Captain Vie's position and degree of responsibility, and smoothed over the matter.

I described in minutest detail all the communications and events of the last few days, and, after pointing out how clear it seemed to me that Commander Bory, of the "Inconstant," made an error in persisting in forcing the river in face of the French Minister's message to him outside, and in ample time, I urged patience and moderation to the uttermost to avoid any further complication, believing as I do so thoroughly that diplomacy ought to be able to settle the whole question, even yet.

We parted at 1:30 P.M. with, I think, a very good understanding, and at 3 P.M. I returned the call. This second meeting was a very pleasant one, and Captain Reculoux told me he intended to go up the river ("as soon as he felt sure of safe conduct"). This I intend to do myself (no news having yet come out) as soon as tide allows at 4 P.M., feeling well satisfied as to the state of affairs *outside* the river, and (as far as I can judge, there being, so far, no embargo upon traffic) opportunity presenting itself by a steamer going up at that hour.

Captain Reculoux voluntarily informed me that four gun-boats and four torpedo-boats are quite ready to leave Saigon to reinforce the ships here if full satisfaction is not given by the Siamese for all claims, and that the three gun-boats inside will not be withdrawn until all is settled.

The situation is critical and dangerous without doubt, but I consider British protection for life and property is as complete as possible under such peculiar conditions, where at any moment, perhaps even now, free firing from the French and Siamese ships means destruction and bloodshed in all directions.

A whole fleet would not give greater protection; as a matter of fact, our ships and the Dutch gun-vessel "Sumbawa" stand to suffer as severely as any other objects within the radius of fire.

I am still hopeful that matters may not have gone too far to be irremediable.

P.S., *July 17*.—On the 14th I proceeded up the river at 4 P.M. in Dutch steamer "Maha Vajiruntis." On the way noticed barely any signs of French fire having been effectual. Forts manned in anticipation of a further arrival of French gun-boats *all* in readiness. Anchored when quite dark 8 miles below Bangkok. Reached Legation at 1 A.M. by boat, passing four Siamese gun-boats anchored irregularly, and then off Borneo Company's Wharf, the "Inconstant" and "Comète." Commanders Chisholm-Batten and Kirby conferred with me. Reported hostilities were not resumed, when Siamese ships followed up to attack again, by direct order of

the King in hastily-met Council. Conference had been held at 11 A.M., attended by French Minister, resulting in agreement to suspend operations pending a hoped-for diplomatic settlement. Town perfectly quiet. Siamese patrol arrangements most complete. City gates closed; river lined with troops. Siamese ships and "Inconstant" repairing damages. Three French buried in afternoon. Siamese loss, sixteen killed and twenty wounded, chiefly on board "Makut Rujakumar" (built at Kowloon), which ship closed the passage, and suffered most. Private steamer was the "J. B. Say," French local trader, whose captain (very experienced) piloted the "Inconstant." The "J. B. Say" was piloted by the man embarked outside, mentioned in my letter. Beached to save sinking, looks in a bad plight now. Siamese flag flying over French colours. Her crew were made prisoners. Fuller particulars in a few days.

No. 297.

Messrs. Wallace Brothers to the Earl of Rosebery.—(Received August 29.)

My Lord,

8, Austin Friars, London, August 29, 1893.

WE had the honour of addressing your Lordship on the 19th and 22nd June with reference to the then threatening aspect of affairs in Bangkok.

We have now the honour to bring to your Lordship's notice the following telegram received by us to-day from that port, viz.:—

"Ultimatum being exceeded. The French Government demands [are] increasing daily, many calculated [to] drive the Local Government desperate in order to procure favourable excuse for the French Government declaration Protectorate which we consider imminent."

We would ask your Lordship's serious consideration of a danger which is threatening British commerce and industry in Bangkok, and, indeed, throughout the whole Kingdom of Siam.

We have, &c.

(Signed) WALLACE BROTHERS.

No. 298.

Manchester Chamber of Commerce to the Earl of Rosebery.—(Received August 30.)

My Lord,

Manchester, August 29, 1893.

IN a telegram received at this Chamber to-day from the Singapore Chamber of Commerce, it is stated that the new claims advanced by the French Government at Bangkok are put forward with a view to coercing Siam into the acceptance of French protection, that these may probably succeed unless Her Majesty's Government should take immediate strong action, and that if they should succeed the important trade of Singapore with Siam will be strangled.

I am requested by the President of this Chamber, in communicating to your Lordship the foregoing information, respectfully to express to you the confidence of the Chamber that you will not fail to realize the extreme gravity of the altered aspect given to the Franco-Siamese question by the reported fresh claims, and its earnest hope that the full weight of your influence and authority may be exercised for the purpose of preventing the conclusion of any arrangements which may place in jeopardy the trade of this country or of British Colonies with the Kingdom of Siam.

I have, &c.

(Signed) ELIJAH HELM, *Secretary.*

No. 299.

Mr. Phipps to the Earl of Rosebery.—(Received August 31.)

My Lord,

Paris, August 29, 1893.

I HAVE the honour to transmit herewith to your Lordship a Report from the Commandant of the "J. B. Say," which it will be remembered piloted the French

vessels "Inconstant" and "Comète" on their passage of the bar of the Menam on the 13th July last. Though now only of historical interest, it would prove that those vessels had no intention of remaining, as alleged by the French Government, outside the bar, but that, whether in compliance with orders or not, their intention was to force the passage. No report from the French Commanders has as yet appeared.

I have, &c.

(Signed) E. C. H. PHIPPS.

Inclosure in No. 299.

Extract from the "Temps" of August 29, 1893.

LE PASSAGE DE LA BARRE DU MÉNAM.—Le courrier de l'Indo-Chine arrivé aujourd'hui a apporté le rapport de M. Castelin, qui commandait le "J. B. Say," sur les événements qui ont accompagné le passage de la barre du Ménam par ce petit bâtiment, montrant la route à nos deux navires de guerre "l'Inconstant" et la "Comète."

Nous publions ce document, qui donne d'intéressants renseignements sur certains faits encore peu connus des affaires du Siam. Nous devons en même temps signaler la conduite méritoire du Commandant et de l'équipage du "J. B. Say," qui se sont montrés, dans la circonstance, de bons et dignes Français.

Voici le texte de ce document :—

"Revenu de Pnom-Penh sur l'ordre du Directeur de l'Exploitation des Messageries Fluviales de Cochinchine, j'embarque second Capitaine 'pour la forme' sur le 'J. B. Say,' afin de prendre le commandement du bateau lorsque, rendu sur la rade de Bangkok, M. Gicquel, Commandant du dit bateau, ira piloter les navires de guerre. Nous partons de Saigon le 10 Juillet, à une heure du soir, à destination de Bangkok, en touchant à Poulo-Condor et à Saracen, où nous avons rendez-vous à 3 heures de l'après-midi, le 12 Juillet, avec les vapeurs 'Inconstant' et 'Comète;' à cause du mauvais temps, nous étions en retard; vers quatre heures, lorsque nous arrivons à Saracen, nous trouvons les deux bateaux de guerre appareillés : nous continuons notre route, et les deux navires nous suivent.

"'L'Inconstant' nous signale de nous rapprocher, qu'il avait une communication à nous faire; nous stoppons, et, lorsque nous sommes à une petite distance, le Commandant Bory nous dit, de sa forte voix : 'Demain soir, à 5 heures, rendez-vous sur la barre.' Nous remettons en route, et chacun fait son chemin. A 4 heures et demie environ, le 13 Juillet, 1893, nous arrivons à l'entrée du Ménam; les navires de guerre arrivent. Une demi-heure après, nous prenons le pilote Jackson, qui nous fait mouiller et nous dit de nous tenir prêts à appareiller pour la marée, qui est à 5 heures et demie. Vers 5 heures, la chaloupe à vapeur de 'l'Inconstant' accoste avec un enseigne de vaisseau pour prendre M. Gicquel. Je prends le commandement du 'J. B. Say.'

"Avant que M. Gicquel ne parte du bord, je lui manifeste mes craintes au sujet du refus possible du pilote à continuer de nous conduire, dans les cas où les Siamois feraient feu sur nous, et j'établis avec ces officiers la convention suivante : Si le pilote refuse de continuer sa route, je mettrai le pavillon Français de jour, en berne; de nuit, un feu rouge au mat de pavillon. Cela fait, le canot à vapeur s'éloigne du bord dans la direction de 'l'Inconstant.' A 5 heures et demie, je demande au pilote d'appareiller; alors, il me répond qu'il ne partira qu'à 6 heures. Je soupçonne le pilote d'être d'accord avec les Siamois, et comme juste à ce moment la vedette d'un des bateaux de guerre passait le long du bord, je l'appelle et lui remets une lettre pour le Commandant de 'l'Inconstant,' lui manifestant mes craintes; à 5 heures 45, j'appareille et fais, suivant les indications du pilote, route sur la barre; les navires de guerre me suivent.

"Aussitôt après avoir doublé les premières pêcheries, le fort de l'ouest, situé à gauche de l'entrée de la rivière, nous tire deux coups successifs de canon à blanc. Je continue ma route; mais le pilote, m'ayant dit de mettre la machine en route et 'l'Inconstant' étant trop loin pour bien exécuter les changements de route juste au moment où il aurait fallu les faire, je fais appeler M. Wütz, chef mécanicien, et établis la convention suivante : 'Lorsque je vous ferai un commandement simple, c'est-à-dire, par exemple : en route, ou demi-vitesse, il faut toujours marcher le plus doucement possible; mais, au contraire, si je vous commande : demi-vitesse, demi-vitesse, ou en route, en route, alors seulement vous exécuterez mes ordres.'

"Pendant ce temps, nous faisons toujours du chemin vers la barre, et les Siamois,

voyant que non seulement nous ne tenions pas compte de leurs avertissements, mais encore que les navires de guerre avaient arboré avec fierté à tous leurs mâts et cornes le pavillon Français, avaient ouvert le feu sur nous. Et lorsque nous avons franchi la barre, moi toujours en tête de ligne, la canonnade était tellement violente que le pilote qui m'avait déjà dit plusieurs fois de virer de bord sans que j'en tinsse compte, me dit : 'Capitaine, je ne vous pilote plus.' 'Comment !' lui dis-je, 'vous allez nous laisser comme cela ; dites-moi, au moins, comment et sur quoi doit se guider 'l'Inconstant ?' Je stoppe et mets machine arrière. Il me répond : 'Dites à "l'Inconstant" qu'il gouverne sur le bateau feu et qu'il le laisse par babord.'

"Les bateaux de guerre, qui, eux, continuaient leur route aussi fiers que s'il s'était agi d'une parade, passent à petite distance et je donne au Commandant, qui se tenait sur la passerelle aussi impassable que son navire, les indications du pilote. A ce moment il ne se passait pas trois secondes sans entendre le sifflement des obus qui partaient de tous côtés. Il était 7 heures environ et c'est à ce moment seulement que le Commandant de 'l'Inconstant' a commandé d'ouvrir le feu. Alors ce fut terrible ; la nuit était presque venue ; quelques instants après, 'l'Inconstant' se trouvait sur le chapelet des torpilles qui étaient mouillées à l'entrée. La fumée était intense, la nuit avancée et l'on ne voyait que les nombreux éclairs des bouches à feu suivis des détonations.

"Moi j'étais navré de ne pouvoir continuer ma route. Mais l'idée que nos braves marins pouvaient être coulés, blessés, et agonisants, à la merci de ces sauvages Siamois, l'emporte sur ce que la prudence me commandait avec ce faible 'J. B. Say,' qui n'avait comme artillerie que mon fusil de chasse avec des cartouches à plomb No. 10. Et je dis au pilote : Il faut que vous me conduisiez à Bangkok ! Si vous refusez, j'y monte tout seul avec les relèvements que j'ai pu me graver dans la tête. Le feu qui avait servi de guide à 'l'Inconstant' n'existait plus.

"Le pilote persiste à ne pas vouloir me guider, me conseille d'attendre le jour et, finalement, me dit : 'Si vous voulez, montez vous-même ; moi, je vous préviens que je ne vous donnerai aucune indication . . .' Tout à coup je m'aperçois que l'inclinaison de la passerelle, au lieu d'être de l'avant à l'arrière était, au contraire, de l'arrière à l'avant. J'avais déjà par précaution envoyé le maître d'équipage sonder, et il n'avait trouvé dans la cale avant que 15 centim. d'eau ; alors je dis au maître de m'ouvrir les cales et de voir ce qu'il y a. Ce qui fut fait aussitôt, et nous constatâmes que la cale No. 1 était presque pleine. J'avais reçu un boulet !

"J'appareille aussitôt. Il était alors 7 heures 40 minutes du soir. A 7 heures 50 minutes j'échouais le navire sur la rade est, dans l'intérêt de mon personnel et de la Compagnie. Il manquait à la cale No. 1 10 centim. d'eau pour qu'elle fût pleine. Je fis armer toutes les pompes, qui malgré leur bon fonctionnement et la bonne volonté des passagers étaient insuffisantes. Alors, je donnai l'ordre au chef mécanicien de mettre la machine en route, et faire aspirer à la cale la pompe à air.

"Le navire avait été ébranlé dans toutes ses parties, les cloisons étanches perdaient de tous côtés, l'eau envahissait la machine, et montait déjà à la hauteur des grilles des fourneaux, l'équipage déjà affolé par les canons avait complètement perdu la tête, les chauffeurs ne voulaient plus descendre dans la machine. Enfin, aidé de mon mécanicien, à force de paroles douces et menaçantes, je réussis à rétablir l'ordre.

"Je fais aussitôt amener le canot, ainsi que la chaloupe, qui étaient prêts à mettre à la mer, et avec deux matelots passagers à mon bord, destinés au 'Latin,' je sondai avec un croc le long du bord, sans rien trouver.

"Pourtant, d'après les éclaboussures d'eau que j'avais reçues dans le ricochet des boulets, je supposais la voie d'eau à tribord devant. La cale No. 1 contenait 130 quintaux de poissons secs. Je fis opérer le jet à la mer de ces quintaux afin de pouvoir visiter par dedans la coque. Les deux matelots passagers se mirent aussitôt à l'eau 'dans la cale,' et, avec une bonne volonté à signaler à leurs chefs, m'élinguèrent toutes les caisses. Mais pas d'indication où le trou pouvait se trouver. L'eau diminuait dans la machine, mais augmentait dans la cale No. 2, qui était à moitié pleine, et dans le poste d'équipage. Je fis sonder de nouveau à l'intérieur, et, finalement, à 3 heures du matin, la marée descendant, j'allai encore le long du bord, et, après un quart d'heure, je trouvai moi-même l'endroit qui nous donnait tant d'eau. C'était un trou de 45 centim. de long sur 25 de large, au milieu de la troisième tôle en dessous du pont, et, à ce moment, à un bon mètre au-dessous de la surface de l'eau. Les dimensions prises par un homme que je fis plonger, je les donnai au chef mécanicien, qui fit aussitôt faire une plaque de tôle de 4 millim. d'épaisseur, avec trois boulons et une grande traverse à l'intérieur.

"A 7 heures du matin, tout était prêt ; mais comme la marée descendait encore et

que le trou allait être au-dessus de l'eau, j'attendai. . . . Mais voilà une chaloupe à vapeur, avec un grand pavillon blanc à l'avant, qui accoste, et le patron me remet une lettre écrite et signée par le Commandant-en-chef des forts de Pacnam, me donnant l'ordre de me rendre au fort, et le plus vite possible ; sinon il me bombardait ; le pavillon blanc me rassura, et je m'embarquai dans le canot à vapeur, qui me transporta à l'appontement.

"En arrivant, j'aperçois 300 ou 400 soldats et officiers Siamois armés jusqu'aux dents, mais pas d'officiers Européens ; je débarque et suis, pendant un bon quart d'heure, la chose curieuse de ces bêtes transformées pour le moment en soi-disant soldats, qui me posent une foule de questions que je ne comprends pas. Après ce temps, une espèce d'officier avec un grand sabre-revolver, les pieds et jambes nues, me fait signe de marcher ; j'exécute l'ordre et précédé, suivi et escorté je fais environ 500 mètres ; après quoi tous se réunissent et forment le cercle autour de moi ; l'un d'eux prend une espèce de turban, certainement pas propre, et veut me bander les yeux : "Toujours pas d'officier Européen." Je ne veux pas me laisser faire, car je crois qu'on veut me fusiller ; enfin, ils me prennent de force et, me voyant impuissant, je cède ; puis deux hommes me prennent chacun par un bras et me conduisent je ne sais où ; après dix minutes de marche, mes deux conducteurs me font arrêter et j'entends une voix devant moi qui me demande, en Anglais, si je suis le capitaine du 'J. B. Say.'

"A ma réponse affirmative, cet officier, car enfin c'en était un, me demande si je parle l'Anglais ; non, lui dis-je, et nous nous remettons en route. Après quinze minutes de marche environ, on me lève le bandeau et je me trouve dans une espèce de grande salle en paillottes, une table au milieu, deux officiers dans des fauteuils ; sur la table, un revolver, à leur droite. C'est le Commandant du fort et deux Lieutenants, tous les trois Siamois. Ils me font subir un interrogatoire en règle et puis le Commandant me dit : 'Vous savez que la guerre est déclarée entre le Siam et la France, et que vous êtes mon prisonnier !' 'C'est bien,' lui dis-je, 'ce n'est pas difficile.' 'Maintenant vous devez écrire une lettre à votre équipage lui disant que vous êtes prisonnier et qu'il faut qu'il se rende vite et sans résistance, sinon'

"Je m'exécute.

"Un des Lieutenants, celui qui est venu à ma rencontre, part avec ma lettre et une trentaine de soldats ; la chaloupe à vapeur, cette fois, met le pavillon Français, qu'elle amène à une cinquantaine de mètres du bord ; l'officier monte à bord et présente d'une main la lettre à mon maître d'équipage et, de l'autre, lui braque le revolver sous le nez en lui disant : 'Je vous donne un quart d'heure pour exécuter ces ordres,' c'est-à-dire prendre quelques effets, des vivres ; et, en s'adressant au chef mécanicien, qui venait de finir la réparation : 'Vous allez mettre bas les feux, stopper et ouvrir les prises d'eau, et pas d'observations,' le revolver toujours prêt à faire feu. Le mécanicien s'exécute ; pendant ce temps, le maître d'équipage me met dans une corbeille quelques effets ; mais messieurs les soldats Siamois se livrent à un vrai pillage sur l'argenterie, provisions, effets, instruments, enfin sur tout ce qui peut leur servir, et ne laissent emporter aux gens du bord que ce qu'ils veulent bien leur laisser prendre.

"Ces quelques bagages sont embarqués, ainsi que quelques vivres, le pavillon Français amené et hissé au-dessous du pavillon Siamois ; au moment de partir du bord, les couleurs Françaises sont ramenées et assez mal traitées par les soldats Siamois. Les embarcations poussent du bord. Pendant ce temps le Commandant me dit qu'il ne me sera pas fait de mal, à moins que je ne cherche à m'évader. J'aurais eu bien de la peine : deux soldats en faction, le fusil chargé, sont à chaque côté de ma chaise ; au moindre mouvement les domestiques au service de ces messieurs mettent un poignard au clair ; enfin tout est prévu pour bien me maîtriser.

"Vers deux heures on porte une caisse d'argent destinée au 'Lutin,' et le Commandant me fait constater que les cachets sont intacts ; puis arrivent les dépêches que l'on ouvre. Je comprends que mon équipage est logé. Je demande de ses nouvelles, pas de réponse à ce sujet. On sert à manger et l'on met mon couvert ; j'étais bien fatigué, le Commandant me force très gentiment à prendre quelque chose . . . A 2 heures 20 minutes arrive le pilote qui est prisonnier comme tous les autres, et à 3 heures environ, sans me prévenir, un soldat entre, me remet le bandeau, et en route. Cette fois c'est un des Lieutenants et le pilote, qui, lui, est libre de ses yeux, qui me conduisent jusqu'à l'appontement ; là seulement on me rend la vue et j'aperçois mon équipage, qui me dit ne pas avoir mangé de la journée.

"Et les vivres ? leur dis-je.

"C'est les Siamois qui les ont mangés," me répondent-ils.

"J'en fais part au Commandant, qui ne sait que me répondre . . . Une grande

chaloupe à vapeur nous attend, et le Commandant me dit qu'il aurait bien voulu nous garder, mais qu'il fallait que nous passions devant les autorités Siamois et que l'on va nous conduire à Bangkok. Sur ma demande, il donne l'ordre à l'officier de passer à bord du 'J. B. Say' pour prendre quelques vivres, et nous partons. Au retour du 'J. B. Say' l'officier débarque à l'appontement, et nous voilà en route pour Bangkok, à la merci d'une quinzaine d'hommes, qui commencent à nous enfermer tous (trente-deux personnes) dans la petite chambre de cette chaloupe, et, au moindre mouvement, les canons de fusil sont braqués sur nous.

"Ce n'est que dans ce parcours que mes officiers ont pu manger un morceau, et me dire qu'ils avaient été passablement maltraités. Pendant qu'ils avaient les yeux bandés, au moindre faux pas ils recevaient des coups de pieds dans les jambes, le maître d'équipage a même reçu des coups de bâton sur le derrière. Vers 7 heures, en passant devant les navires de guerre Français 'Inconstant,' 'Comète,' et "Lutin," les précautions redoublent, les toiles sont baissées tout autour de la chaloupe, les factionnaires prennent la position du tirailleur à genoux, et des paroles de menace sont proférées par eux.

"A 8 heures environ nous arrivons à l'arsenal, la chaloupe accoste, et nous sommes entourés de tous côtés par plusieurs centaines de soldats et officiers indigènes Européens. On nous fait porter à nous-mêmes les quelques bagages qu'ils ont bien voulu nous laisser, et on nous fait passer une visite minutieuse, après quoi nous restons campés dans la cour de l'arsenal toujours entourés de trois à quatre soldats. De temps à autre arrive un officier qui nous regarde, et c'est tout. Les soldats se moquent de nous tant qu'ils le peuvent. Enfin, vers 11 heures et demie du soir, c'est-à-dire, après 3 heures et demie, ou 4 heures d'attente, l'Amiral Richelieu arrive et dit au pilote, 'Vous pouvez aller à l'Oriental Hôtel.' Nous rembarquâmes dans la chaloupe, et, après une demi-heure, nous débarquons à l'hôtel. A minuit vingt j'entrais au Consulat, et, après avoir fait ma déposition, j'en sortais à 2 heures du matin pour aller prendre un repos assez mérité."

No. 300.

Straits Settlements Association to the Earl of Rosebery.—(Received August 31.)

1, Whittington Avenue, Leadenhall Street, London,
August 30, 1893.

My Lord,

HAVING reference to a letter addressed to your Lordship on the 24th July by merchants, bankers, and ship-owners interested in the trade of Siam, and to the letter in reply addressed to me of the 27th idem, I have now the honour to bring to your Lordship's notice the fact that this Association has received information that, notwithstanding the acceptance by Siam of the ultimatum of the French Government and the payment of the indemnity, claims are being made by the Representative of France, M. Myre de Vilers, which, if granted, will place the commercial interests of this country and its Colonies in great danger.

We are advised by our friends in the East, who, we have reason to believe, derive their information from reliable sources, that the demands now put forward by the French Government would, if agreed to by the Siamese, virtually amount to a Protectorate.

We have already placed before your Lordship the important share which Great Britain, with her Colonies of the Straits Settlements and Hong Kong, have in the trade of Siam, amounting to 93 per cent. of the whole trade of that country.

It is within your Lordship's knowledge that the French Government in their own Colonies of Saigon and Cochin China have imposed differential duties, which have had a most detrimental effect on British trade, especially that of the Straits Settlements; and we are strongly of the opinion that if France be allowed to take such a position in Siam as the information in our possession leads us to fear, she will impose a like policy on Siam with a similar injurious effect.

We have therefore most respectfully to urge upon your Lordship the urgent necessity of taking such steps as will protect British interests, and maintain the integrity and independence of Siam.

I have, &c.

(Signed) WM. PATERSON, *Chairman.*

No. 301.

Foreign Office to Straits Settlements Association.

Sir,

Foreign Office, August 31, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 30th instant, commenting on the additional demands which the French Government are alleged to be making on Siam, and which, in the opinion of your Association, are prejudicial to the commercial interests of this country.

I am to state, in reply, that your observations on this subject shall receive attention.

I am, &c.

(Signed) T. H. SANDERSON.

No. 302.

Foreign Office to Manchester Chamber of Commerce.

Sir,

Foreign Office, August 31, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 29th instant, giving the substance of a telegraphic message received from the Singapore Chamber of Commerce respecting the additional claims which the French Government are alleged to be making on Siam.

I am to state, in reply, that the representations of your Chamber on this subject shall receive careful attention.

I am, &c.

(Signed) T. H. SANDERSON.

No. 303.

Foreign Office to Messrs. Wallace Brothers.

Gentlemen,

Foreign Office, August 31, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 29th instant, and to thank you for the telegraphic report from Bangkok therein contained.

I am, &c.

(Signed) T. H. SANDERSON.

No. 304.

London Chamber of Commerce to the Earl of Rosebery.—(Received September 1.)

My Lord,

Botolph House, Eastcheap, London, August 31, 1893.

THE attention of this Chamber and of its East India and China Trade Section, the members of both of which are greatly concerned in trade with the East, has been directed, by telegrams received from correspondents in Singapore, to the critical condition of affairs said to be created by the continued action of the French at Bangkok.

The Chamber therefore desires to convey to your Lordship its earnest hope that Her Majesty's Government will take such steps as will be calculated to protect and maintain British commercial interests, bound up as they are with the independence of Siam, the trade of which with Singapore, Hong Kong, and other Eastern dependencies is of considerable and growing importance.

It is felt that any infringement of the independence of Siam would be calculated to permanently injure British interests in that quarter of the world, and to lead to those exclusive and differential Tariff Regulations which already exist at Saigon, to the detriment of trade.

The Chamber ventures to offer to your Lordship the assurance of support in

securing British commercial interests, and its sense of the services which your Lordship has thus rendered to the Empire.

I am, &c.
(Signed) KENRIC B. MURRAY, *Secretary.*
(Per C. E. Musgrave, Assistant Secretary.)

No. 305.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, September 1, 1893.

I SHOULD be glad if you could obtain the exact text of the Articles relating to Battambang and Angkor and the rest of the reserved zone, and send it to me by telegraph.

No. 306.

Singapore Chamber of Commerce to the Earl of Rosebery.—(Received September 1.)

(Telegraphic.)

Singapore, September 1, 1893.

CHAMBER views fresh French claims as intended coerce Siam into French protection. If France succeeds therein, or acquire further territory, British trade with Siam will be strangled by heavy duties. Consider present position gravely endangers British commerce. Protests against French aggression, which Chamber believes aimed against British trade. Respectfully urges your Lordship's immediate strong intervention. Delay most dangerous.

No. 307.

Mr. Phipps to the Earl of Rosebery.—(Received September 2.)

My Lord,

Paris, September 1, 1893.

THE language of the English press, as well as that employed in the House of Commons, in regard to the so-termed French encroachments during the Siamese negotiations has frequently been referred to in the course of my conversations with official personages in Paris, and I may sum up the language which has been held to me in responsible quarters as follows:

It is felt that what they designate as the persistent attacks levelled against France in England are the cause of considerable embarrassment to the French Government. Disposed as the latter might be to disavow publicly the intentions attributed to them, they would inevitably be accused, were they to do so, of truckling to the pressure of England. France, it is maintained, was honestly desirous simply to revert to amicable relations with Siam as soon as the terms accepted by that country were executed. But if M. Le Myre de Vilers, who had the habit of dealing with Orientals, were to await the good pleasure of the Siamese with his hands crossed, the object in view would be remote in its attainment, and he doubtless, at his discretion, may have used language which might be interpreted as threatening, in order to hasten the conclusion of his mission. In fulfilling his instructions to make a Commercial Treaty, he had proposed certain mutual concessions in regard to customs duties and importations between Battambang and Angkor and Cambodia. He had at once been accused of wishing to lay hands on the provinces. In order to improve the navigation of the Mekong, he had asked for the permission to extend to the right bank such works as might be necessary on the left bank, as well as to establish wood and coal depôts. That, again, was distorted into a desire to lay hands on the provinces, when the very fact of the request having been made showed their respect for the right bank. A strong pressure had been exercised in France on the Government to obtain, after the refusal of the ultimatum, the retrocession of those provinces (regarded as legitimately belonging to Cambodia), but M. Develle, bearing in mind the declarations which he had made in regard to the independence and integrity of Siam, had firmly

rejected all such influence brought to bear on him, and respected a Treaty which had undoubtedly been drawn up without full "connaissance de cause." I have been assured that not one word is known at the French Foreign Office of the alleged erection of earthworks at Chantaboon; and the presence there of a French force one-tenth the number of that of the Siamese forbade any covert intentions such as were attributed to the French. An explanation of the desire to shelter the French force in a barrack had already been given to me. As to the assertions relative to French projects regarding the Kra Canal, I am told that no mention of that canal or of such aims had ever been made in any correspondence, private or official, in the French Foreign Office.

As to the general question, it is not concealed that, had the circumstances and details now at hand been brought earlier to the notice of the French Government, demands of a less moderate nature would have been made. The report of the Commander of the "J. B. Say" it is said proves how unprovoked had been the action of the Siamese on the occasion of the French ships entering the Menam.

By a distinct arrangement made with M. Pavie, a Siamese officer was to have been sent to stop the passage of the French ships up the river. That arrangement had not been kept, and the ships arriving with their original orders from the Admiral at Saigon to advance to Bangkok had no notice of the modification of those orders which had been issued in consequence of an understanding with Her Majesty's Government, but were received by a fire of artillery. Would British officers, it is asked, have acted under such circumstances otherwise than the French naval officers had acted? Her Majesty's Government, it is believed, would have ordered much stronger measures of retaliation. No demand had been made for the dismissal of the Danish officers, but it is understood that the Danish Government intends to withdraw those who are under its control, and who are not mere adventurers, such as often make their way to Oriental countries. Their presence, in view of the Report of the Commandant of the "J. B. Say," and of their action at the mouth of the Menam, is regarded as a danger to the good relations of France and Siam. A high official almost emotionally repudiated to me the accusations of bad faith which had been levelled at France, both in the English press and in the House of Commons, stating that when a member used such an expression as "now that France has annexed Siam," it was difficult to inculcate moderation on the French press.

It has been pointed out to me that the press has shown excessive forbearance both in the Aigues Mortes controversy and in the recent development of the Siamese question, if a comparison were drawn with its Italian and English compeers, and that the French Government could, however, only feel that the exaggerations of the English press on the Siamese question were due to its being, in many cases, dragged into the service of the Opposition, in order to make an attack on Mr. Gladstone's Government for its imputed impotence and inertness in the face of France, a most unjustifiable accusation, as the correspondence of Her Majesty's Embassy and the French Government must unquestionably prove.

I have invariably said that no one could read the reports of the language held by the official Representatives of Her Majesty's Government in Parliament without being convinced of its guarded character, and how little it became the echo of ungrounded statements, but I could not conceal my fears lest M. Le Myre de Vilers would prove to be either exceeding his instructions, or to be executing them unjustifiably.

I have, &c.
(Signed) E. C. H. PHIPPS.

No. 308.

Admiralty to Foreign Office.—(Received September 2.)

Sir,

Admiralty, September 1, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the paraphrase of a telegram, dated the 1st September, from Singapore.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 308.

Captain MacLeod to Admiralty.

(Telegraphic.)

"Pallas," at Singapore, September 1, 1893.

ACCORDING to a telegram received from Her Majesty's ship "Swift," the state of affairs at Bangkok appears to be unsatisfactory. French are using threats of four men-of-war in the Gulf of Siam before the mouth of the Menam River.

No. 309.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, September 2, 1893.

THE difference between France and Siam, which had at one time assumed so threatening an aspect, has happily been brought to a peaceful settlement. It was one in the later and more serious phases of which Great Britain could not be otherwise than greatly concerned, on account of her preponderant commercial intercourse with Siam, of her friendly relations with that kingdom, her desire to preserve its independence, and in view of the expediency, in the interests both of France and Great Britain, of maintaining a neutral territory between the British and French possessions in those regions.

The French Government have shown themselves equally alive to the importance of this last consideration, and your Excellency has been able to come to an agreement with the French Minister for Foreign Affairs as to the general principle of an arrangement for securing the object in view; and I do not doubt that on your return to Paris you will find M. Develle ready to negotiate with you the details of that arrangement.

It will be useful that I should preface the instructions which I have to give you on the subject with a brief summary of the course of events and of the position of Her Majesty's Government in regard to them.

As long ago as the 3rd April, 1889, the French Ambassador made to my predecessor a proposal for the neutralization of Siam. The conversation is thus recorded by Lord Salisbury in a despatch to the late Earl of Lytton, then Her Majesty's Ambassador at Paris:—

"The French Ambassador called upon me to-day, by appointment, to make a proposal for the neutralization of Siam. He stated that the French Government had a two-fold object in view. They wished to establish a strong independent Kingdom of Siam, with well-defined frontiers on both sides; and they desired to come to an arrangement by which a permanent barrier might be established between the possessions of Great Britain and France in the Indo-Chinese Peninsula. Such an arrangement would be advantageous to both countries, and would prevent the complications which otherwise might arise between them.

"It would be necessary, in the first instance, that the frontier between Cochin China and Siam should be fixed, and Her Majesty's Government would no doubt desire a settlement of the boundaries of Burmah.

"As regarded the frontier of Cochin China, the French Government did not wish to extend it to Luang Prabang, but they would propose to draw a line from a point nearly due east of that place southwards to the Mekong, and below that point to make the river the dividing line between the two countries until it entered the territory of Cambodia. They considered that, both on the French and English side, the boundaries of Siam should be defined up to the Chinese frontier.

"I said that, while fully sympathizing with the general objects indicated by his Excellency, I was unable, without fuller particulars as to the contemplated arrangements, to express an opinion on his proposals; but that I would have the question examined, and that I should be glad if he could let me have more exact details as to the proposed line of frontier between Cochin China and Siam."

M. Waddington's account of the proposal made by him gives it in somewhat different terms, but the substance of the proposal is the same. His Excellency says in a letter to me, dated the 30th April last:—

"Cette proposition a été faite au cours d'un long entretien que j'ai eu avec Lord Salisbury le 4 Avril, 1889, entretien que j'ai consigné par écrit en sortant du Foreign Office en ces termes:—

"Comme vous êtes maîtres de l'embouchure de la Salouen, nous proposons que ce fleuve qui constitue déjà sur une partie de son cours la frontière entre vous et le Siam, le soit dans toute son étendue vers le nord. D'autre part, comme la France est maîtresse des bouches du Mékong nous proposons pour frontière orientale du Siam le cours de ce fleuve depuis la limite du Cambodge jusqu'à un point à déterminer en aval de Luang Prabang. Cette ville, avec un territoire à déterminer

ferait partie du Siam, et la frontière suivrait ensuite le cours du Nam Hou vers le nord jusqu'à sa rencontre avec la frontière Chinoise.

"C'était donc un très grand territoire que nous vous propositions à cette époque de confier au Siam, territoire alors occupé par une foule de tribus plus ou moins barbares et indépendantes; je l'indiquai à Lord Salisbury sur une carte du Foreign Office qui était déployée devant nous."

The proposal was the subject of prolonged consultation with the Secretary of State for India, and eventually Lord Salisbury returned to M. Waddington, on the 27th August, the following answer:—

" M. l'Ambassadeur,

"I have been in communication with the India Office with regard to the proposal for the neutralization of Siam which was made to me by your Excellency on the 3rd April last.

"Her Majesty's Government are favourably inclined to such an arrangement, by which a strong independent Kingdom of Siam with well-defined frontiers would be established.

"As I understood your Excellency's proposal, it requires as a first step a settlement of the boundaries of Siam in the direction of China, Cochin China, and of Burmah.

"I have now the honour to forward to your Excellency a Map which has been supplied to me by the India Office, and which shows the approximate boundaries of Siam towards the north-west and north, such as they have hitherto been considered to exist. The western boundary of Siam has been absolutely demarcated as far as the northern limit of British possessions previous to 1885.

"On hearing from your Excellency what are the views of the French Government as to the limits of Siam on the east and north-east, I shall be happy to consider with you what is the next step that should be taken for the purpose of carrying your proposal into effect.

"I understand the object which your Excellency has in view is to determine what shall be the definition of the words 'Empire of Siam,' if they should become the subject of any agreement between the two Governments, either in the way of guarantees or of formal recognition for mutual guidance.

"The extent of territory claimed by Siam, and the validity of those claims, can of course only be determined in communication with the Government of Siam itself.

"I have, &c.
(Signed) "SALISBURY."

To this communication no answer was ever received; the subject was for the time dropped by the French Government, and it was not until the 16th February, 1892, that it was revived by M. Waddington, who made on that occasion an entirely new proposal.

His Excellency said that his Government were of opinion that, in order to avoid further differences between the two Powers, it might be advantageous that each Power should bind itself to the other not to extend its influence beyond the Mekong. Neither Power had yet advanced practically to the banks of that river, but this engagement would prevent either Power suspecting the other of desiring to encroach upon what was essentially Siamese territory.

Lord Salisbury objected that such an engagement would have the appearance of giving respectively to the French and English Governments territory which did not belong to the other of the two Powers, and was therefore not at its discretion to assign. M. Waddington replied that that was not his intention. He did not propose any engagement of a positive character; he did not propose that either Power should recognize the other as advancing as far as the banks of the Mekong; he only proposed the negative engagement that each Power should bind itself to the other not to cross that river.

M. Waddington repeated this proposal on the 10th May following, explaining he did not mean to say that the present sphere of influence either of France or Great Britain actually extended up to the Mekong at that moment, that his proposal was not an assertion of present rights, but, as he expressed it, a prophylactic.

Lord Salisbury consulted the Secretary of State for India on the subject, but no reply was given to M. Waddington before the late Government quitted office.

His Excellency consequently recurred to the subject in conversation with me, and I explained the position and views of Her Majesty's Government in a note dated the 23rd December last.

In that note, and in a subsequent one of the 3rd April, I stated that in virtue of the annexation of Burmah, and of the establishment of a British Protectorate over the State of Kyaington, Her Majesty's Government had acquired rights in certain districts to the east of the Mekong, notably in Kiang Hung and over Kyaing Chaing, which latter district lies on both sides of the Mekong. That they proposed to make over to China their rights in the former State as part of a general settlement of the frontier between Burmah and China, and that it was further their intention to cede Kyaing Chaing to Siam as part of the frontier settlement with that country; although, if Siam were at any time to abandon the district, the rights of the British Crown to the whole of it, whether ying to the east or west of the Mekong, would revive. I pointed out that under these

arrangements the possessions or Protectorate of Great Britain would nowhere extend to the east of the Mekong, but I stated that such a specific engagement as M. Waddington had suggested would be open to misconstruction, and likely to cause suspicion and arouse claims on the part of Siam.

M. Waddington replied to my note of the 23rd December in one dated the 22nd February, in which he asked for explanations on certain points, and expressed a hope that I should see the expediency of speedily resuming the negotiations and bringing them to a definitive agreement, adding that they could not, in the opinion of the French Government, be regarded as implying a danger for Siam, as they had always and should, in their opinion, continue to be based on the necessity of assuring the independence of that State.

In my reply of the 3rd April I observed :—

“Her Majesty’s Government have never been placed in possession of the views of the French Government as to the limits of Siam on the east and north-east. They are only aware from the tenour of your Excellency’s communication of the 3rd April, 1889, that the French Government did not claim to extend the frontier of Cochin China so far as the Mekong, in the neighbourhood of Luang Prabang, and that they further considered that the boundaries of Siam did extend up to the Chinese frontier, and should be defined up to it.

“Her Majesty’s Government have not attempted to express an opinion, or to enter into any discussion on the question of the proper frontier of Siam towards the French possessions. But they do not consider it admissible, and they scarcely conceive that the French Government can wish to propose, that the two Governments should assume exclusive spheres of influence in territory which actually belongs or which may hereafter be assigned to Siam, and that their respective interests in the independence and integrity of that kingdom should be divided by the Mekong River. Such an arrangement has, as far as I am aware, no precedent in international practice, and seems at variance with the principle of the national independence of Siam, which both Governments wish to preserve.

“As regards territories outside of Siam, Great Britain, as I have already explained, has acquired certain rights to the east of the Mekong in virtue of her annexation of Burmah and her Protectorate of Kyaington. Some of those rights Her Majesty’s Government have arranged to cede to Siam, and the others they are proposing to cede on certain conditions to China. They have frankly explained their intentions to the French Government, who will see that they are not of a nature to give rise to uneasiness or jealousy on the part of France. But until these arrangements are completed, and they are furnished with some more definite explanations of the views of the French Government with regard to the frontiers of Siam on the east and north-east, it does not seem to them that there is a sufficiently clear basis for a formal engagement between the two Governments with regard to their respective interests and spheres of influence in these regions.”

The negotiation has not been pursued further by the French Government, but throughout the course of their recent discussions with Siam they have constantly asserted their intention to respect the integrity and independence of that kingdom. I may mention in illustration of this fact the statement made to me by the French Chargé d’Affaires on the 28th June, and recorded in my despatch of that date, that he thought that ample assurances had been given by M. Develle to your Excellency, and that it had always been stated that there was no idea of any attack on the integrity and independence of the Kingdom of Siam. On the 30th June, only two days later, Mr. Phipps furnished to me, in his despatch, a report of a conversation with M. Develle, which commenced as follows :—

“His Excellency said he could give me a solemn assurance that the French Government had no idea of interfering with the integrity of the Siamese Empire.”

Her Majesty’s Government had, therefore, every assurance that France, equally with Great Britain, was desirous of avoiding actual contact between the possessions of the two countries in these regions; that she was resolved to maintain and respect the integrity and independence of Siam, and that her territorial claims would not be so pushed as to trench upon that independence and integrity.

It must be admitted that the exact limits of the territorial rights and jurisdiction of Siam are vague and indeterminate; but it was at least certain that the State of Luang Prabang had for a period of over seventy years acknowledged Siamese suzerainty, and that it had for some years been practically under the control of a Siamese Commissioner. The French Government had, moreover, themselves acknowledged the sovereignty of Siam at Luang Prabang by the signature of the Convention of the 7th May, 1886, which provides for the appointment of a French Vice-Consul there, and by the request which they subsequently addressed to the Siamese Government to grant an exequatur to the officer so appointed. It is further an undoubted fact that the country to the west of the Nam U up to latitude 22° has for some time been in Siamese possession, that the Siamese military posts extend along the course of that river up to that latitude, and that the Siamese Province of Maung Nan

reaches some 60 miles to the north of the Mekong, where that river runs westerly from the town of Luang Prabang.

There was therefore to the east of the British possessions, where they approach or touch the Upper Mekong, a broad tract of territory generally admitted by French as well as by other explorers and travellers to belong to Siam. Moreover, on the French official map of Indo-China, published by the Ministry of War in 1886, there is a distinct frontier-line drawn considerably to the east of the Nani U, and described as "the frontier of Annam according to the Annamite maps;" while the country to the west of this line is stated to belong to States under the suzerainty of Burmah and Siam.

Under these circumstances, Her Majesty's Government were justified in considering that the disputes which had arisen between France and Siam, and which were understood to relate to the territory lying to the east of the Mekong and south of Luang Prabang, did not directly concern them, and that they were not called upon to express any opinion on the question, the merits of which it was very difficult to ascertain. I have no doubt that I may have incidentally stated both to your Excellency and to M. Waddington that we did not desire to intervene in any local frontier dispute on the Lower Mekong, though, as your Excellency has pointed out in your despatch of the 25th July, and as I have explained in my despatch to you of the 5th ultimo, no such categorical statements of our being altogether unconcerned in the question were made either by you or me as might be inferred from M. Develle's language in the French Chamber. It is clear, indeed, that in a certain sense Her Majesty's Government could not be otherwise than concerned, for it was important to Great Britain that the question should be restricted within its actual limits, and should not be allowed to assume proportions that should affect our commerce or the essential independence and integrity of Siam. But action on our part was rightly and properly limited to endeavouring, by friendly advice, to facilitate a settlement, and to prevent any step on the part of Siam which might tend to bring matters into an acute phase.

Her Majesty's Government neglected no opportunity of using their influence in this direction.

As French public opinion seemed much excited on the subject, and inclined to attribute to British instigation and support the opposition offered by Siam to the French demands, I avoided having any personal interviews with the Siamese Minister, which might have tended to give colour to these suspicions and to increase existing irritation. But in all written communications with him, in the messages which have been conveyed through Sir P. Currie and Sir T. Sanderson to the Siamese Legation, and in the instructions addressed to Her Majesty's Minister at Bangkok, I never failed to inculcate the importance for Siam of coming to a speedy settlement, of exercising great caution, and of avoiding anything which could give occasion for a rupture. Advice to this effect was given on the 24th April by Sir P. Currie to Mr. Verney, the English Secretary of the Siamese Legation, and Captain Jones was at the same time instructed to use language to the same effect.

Again, on the 4th June, after the capture of a French officer, Captain Thoreux, on the Mekong, I telegraphed to Captain Jones to urge on the Siamese Government, if he had the opportunity, to consider how extremely important it was to avoid a breach of friendly relations, and to represent that they could have no grounds for refusing to use their best endeavours for the liberation of Captain Thoreux if the encounter had taken place, as I understood them to state, in opposition to their wishes and instructions, and on territory over which they claimed to exercise authority.

On the 23rd June Mr. Verney, having intimated that the French Government refused to proceed with the discussion of the territorial question until the claims for compensation on account of injuries suffered by some French traders and travellers at the hands of the Siamese authorities had been disposed of, it was suggested to him that, in order to facilitate the progress of the negotiations, the Siamese Government would do well at once to deposit the full amount of these claims with some bank or neutral person pending a discussion of the details.

On the 5th July, as the French Government were complaining of the delay in the liberation of Captain Thoreux, Sir T. Sanderson wrote again to Mr. Verney by my desire, urging that it should be effected at the earliest possible moment.

Of the incident which brought matters to their recent critical condition, and led to the presentation of the French ultimatum, I can only say that it appears to have been principally, if not wholly, due to an unfortunate misunderstanding, and that the act of the French gun-boats in forcing their way up the Menam River to Bangkok was, as I believe, contrary to the orders of the French Government, as it certainly was inconsistent with their language to Her Majesty's Government,

On the 17th June your Excellency reported having received an assurance from the French Government that the statement in the newspapers of the dispatch of the French fleet to Bangkok was not correct, that it would be concentrated near Cochin China, and if any further action was necessary, in consequence of the recent murder of a French subject, Her Majesty's Government would be informed.

In your despatch of the 19th June you stated that M. Develle had again repeated the assurance that there was no intention of sending the French fleet to Bangkok. You added that you had already received through Mr. Phipps an assurance from the French Foreign Office authorities that any further movements of the French fleet would be communicated to Her Majesty's Embassy, or to London.

On the 29th June the French Minister for Foreign Affairs, after expressing satisfaction at my language in the House of Lords, repeated once more that no active steps would be taken at Bangkok without previous warning.

In the note which Mr. Phipps addressed to his Excellency on the 1st July, and of which a copy was inclosed in his despatch of the 5th, he wrote as follows :—

“I may add that I have not omitted also to convey to Her Majesty's Government the various assurances given by your Excellency that any further movements of the French fleet will be intimated to them.”

No exception whatever was taken to this formal record of the assurances received ; no intimation of any kind had been received by Her Majesty's Government of an intended movement of the French fleet, or any portion of it ; they were justified in supposing that it was still under orders to remain concentrated in the waters of Cochin China, and that no fresh steps of an active nature at Bangkok had been decided upon.

When, on the 11th July, a report was received from Her Majesty's Minister at Bangkok that the French Admiral was determined to send additional vessels of war to that capital, and to force the entrance of the river against the resistance of the Siamese, I must admit that, relying on the reiterated assurances of M. Develle, I did not believe that such a measure was seriously contemplated, or was at all events imminent.

As it was said, however, that the French Admiral based his action on the ground that additional English gun-boats were being sent to lie off Bangkok, I instructed Mr. Phipps to explain to M. Develle that the two vessels which had recently been sent for the protection of British life and property in case of disorder would remain at the entrance of the river, and that only the one which had for some weeks been lying off Bangkok would continue there. But I thought it only courteous to M. Develle to accompany this explanation with a statement that Her Majesty's Government felt absolute confidence in his assurances, and gave no credence to the report of an intention to force the entrance of the river.

I received from Mr. Phipps, late on the evening of the 13th July, a telegram stating that, in consequence of my communication, M. Develle had abandoned the intention of sending additional ships to Bangkok, and that the vessels sent would remain outside the bar at the entrance of the Menam. But simultaneously with this message arrived, to my extreme surprise, another one from Her Majesty's Minister at Bangkok, reporting that the vessels in question had passed the defences at the bar, and were at that moment anchored opposite the French Legation.

Of the encounter which took place between the gun-boats and the Siamese forts on their passage up the river, and which seems to have been the determining cause of the French ultimatum, the accounts from different sources are conflicting. It has been stated that the French vessels were subjected to an unprovoked fire while taking up their anchorage outside the bar. This, however, can scarcely be the case, for the anchorage outside the bar is out of range of the fort at the entrance to the river.

From the reports since received from Her Majesty's Minister at Bangkok, and from the Commander of Her Majesty's ship “Pallas,” which was stationed outside the bar, it appears that the Commanders of the French gun-boats were informed by the latter on their arrival that they might expect a message from the French Minister at Bangkok outside the river. It was believed by the Commander of the “Pallas” (though I understand that the French Government state that this is a mistake) that they actually received a messenger from the Minister with an intimation of the arrangement made with the Siamese Government that they should remain outside. They were certainly warned by a Siamese officer that their passage up the river would be opposed. Nevertheless, on the approach of evening, and under cover of a thunder-storm, they proceeded, by the help of a pilot obtained from a French merchant-steamer engaged in local traffic, to pass the obstacles which the Siamese had placed at the mouth of the river inside the bar, and it was then that, after two blank shots had been fired, the cannonade began, to which they at once replied.

It is, however, unnecessary that I should discuss this incident or pronounce any opinion upon it. I have only detailed the previous circumstances with the object of showing that, in this and in other stages of the matter, the course of Her Majesty's Government has been based upon a loyal belief in the reiterated and solemn assurances of the French Government, and guided by an anxious desire to avoid taking any part in the dispute, but to prevent, as far as lay in their power, any action on either side which might bring about a crisis.

Those efforts had, unfortunately, been unavailing, and the immediate result was the presentation by the French Government of an ultimatum containing demands of a very different nature from any which had previously been made.

The first of these demands could not but be considered as affecting British interests in a high degree. It was thus expressed: "The recognition of the rights of the Empire of Annam and of the Kingdom of Cambodia over the left bank of the Mekong and over the islands." The words are not explicit, but the statements of M. Develle left no doubt that they were intended to imply the cession of all territory in Siamese possession on the left bank of the river. This interpretation was confirmed by the refusal of the French Government to accept as satisfactory the reply of the Siamese Government offering to recognize as Annamite and Cambodian territory all the country to the east of the Mekong southwards of the 18th parallel of north latitude.

Her Majesty's Government found themselves, therefore, suddenly and without any previous warning brought face to face with a peremptory claim by France for a vast tract of territory, including the town and one-half of the district of Luang Prabang (which has been admittedly for many years under Siamese jurisdiction, and over which it has not hitherto been contended that Annam had any rights beyond some of tribute now for more than half-a-century non-existent), comprising also a considerable portion of the Siamese Province of Muang Nan, and bringing the French possessions into immediate contact with the British Protectorate of Kyaington and with the neighbouring State of Kyaing Chaing, which Her Majesty's Government had ceded to Siam, but which would thus be cut off from the rest of the Siamese possessions, and over which the rights of Great Britain would naturally revive upon its abandonment by the Siamese Government.

I pass over the question whether such a demand is altogether consistent with that respect for the integrity of Siam which had formed the basis of the communications between the two Governments. It is sufficient to consider its practical effect.

The policy which hitherto has recommended itself for obvious reasons to both the British and French Governments has been that of keeping a considerable tract of territory under the jurisdiction of some native and neutral State between the limits of their respective possessions.

But the French demand, if carried into effect to its full extent, would have brought the British and French frontiers into actual contact for an extent of at least 80 miles. In order to preserve the peace of the border it would be necessary to make arrangements for regularly garrisoning the frontier districts, and for bringing them under direct administrative control. A heavy charge which has hitherto been avoided would be thrown upon the finances of the British-Indian Empire, and both countries would have been constantly exposed to the occurrence of petty and irritating discussions from such incidents as must necessarily arise between the wild and uncivilized tribes which inhabit these regions.

On the other hand, if the Siamese Government should persist in their refusal to make concessions beyond those offered in their reply to the French ultimatum, a blockade of the Siamese coast was at once to ensue. This measure, although nominally directed against Siam, would probably have had but little effect on the mass of the population. The food supplies of the valley of the Menam are more than adequate for the wants of the inhabitants, the annual export of rice from Bangkok averaging a yearly value of 1,000,000*l.*, and with such commodities as furnish the staple articles of import they can very well dispense for a prolonged period.

But on British shipping visiting Bangkok, which, during the year 1892, amounted to 87 per cent. of the whole carrying trade of that port, and on British imports, which amounted in the same year to 97 per cent. of the whole, the effect could not be otherwise than serious. It was further to be anticipated that the stoppage of the supply of rice to the British Colonial Settlements in the Malayan Peninsula and at Hong Kong might be productive of serious inconvenience and distress.

It was under these circumstances that Her Majesty's Government thought it expedient that your Excellency should at once return to Paris, in order to discuss with M. Develle the means of avoiding contingencies which could not be otherwise than detrimental to the friendly relations between the two countries. I am happy to bear

testimony to the moderate and conciliatory disposition which has been shown by that statesman, and which has resulted in an agreement for the establishment of a neutral zone between the British and French possessions on the Upper Mekong.

Her Majesty's Government, while refusing to give advice under circumstances for which they were in no way responsible, did not conceal from the Government of Siam their opinion that further resistance to the French demands was useless, and could only tend to bring on Siam greater losses and misfortunes. The latter, wisely recognizing the necessities of the situation, accepted the conditions laid down in the French ultimatum, and some supplementary ones which the French Government subsequently imposed. The blockade which the French Government had notified as to take place on the 31st July, but which the French Naval Commander, from misapprehension of the telegraphic instructions sent to him, had twice proclaimed as commencing first on the 26th, and then on the 29th, was consequently, after some delay, due, doubtless, to the same cause, formally and definitively abandoned; and it may be hoped that the negotiations opened at Bangkok for the conclusion of a Definitive Convention may be speedily brought to a satisfactory issue.

There seems no reason why the discussions between your Excellency and M. Develle, which it was thought well to suspend until after the French elections, should not now be resumed, with the view of putting into definite and exact shape the agreement as to the neutral zone.

I am, &c.
(Signed) ROSEBERY.

No. 310.

Admiralty to Foreign Office.—(Received September 3.)

Sir,

Admiralty, September 3, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the copy of two telegrams received from the British Consul at Bangkok.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure 1 in No. 310.

Consul French to Admiralty.

(Telegraphic.)

Bangkok, September 2, 1893.

GERMAN gun-boat "Wolf" left this for China yesterday.

Inclosure 2 in No. 310.

Consul French to Admiralty.

(Telegraphic.)

Bangkok, September 3, 1893.

FRENCH gun-boat "Lion" replaced by a ship.

No. 311.

Captain Jones to the Earl of Rosebery.—(Received September 3, 9.15 A.M.)

(Telegraphic.)

Bangkok, September 2, 1893, 7.30 P.M.

I SEND, in compliance with the instructions contained in your Lordship's telegram of yesterday, the exact text of Articles III, IV, V, VII, and VIII of the Treaty proposed to Siam by the French Plenipotentiary, as well as the text of Articles IX, XI, and XIII, which have not been previously communicated to your Lordship by telegraph.

Article III. The Siamese Government will not construct any fortified post or military establishment in the Provinces of Angkor and Battambang, nor within a

radius of 25 kilom. from the right bank of the Mekong. Those already existing within these limits will be demolished.

Article IV. In the reserved zones nothing will be changed as regards the existing native administration; the police will be undertaken by the local authorities, and no military force, regular or irregular, will be maintained there.

Article V. No Customs posts will be created; no taxes will be levied on importation or exportation within the zones reserved as above mentioned.

Article VII. French citizens, subjects, and those under French protection may freely circulate within the reserved territories with a passport delivered by French authorities, and reciprocity will be accorded to the inhabitants of the said zone.

Article VIII. Within this said zone French Government reserves the right of establishing Agencies wherever it may see fit in the interests of its subjects or those under its protection. The Siamese Government will concede gratuitously the necessary ground for the establishment of the said Agencies.

Article IX. French Government reserves the right of establishing Consulates at Nan and Korat.

Article XI. Plenipotentiaries by a special Convention will regulate the measures of execution of the said Treaty.

Article XIII. The present Treaty should be ratified within a delay of four months, counting from the day of signature.

No. 312.

Captain Jones to the Earl of Rosebery.—(Received September 3, 9.15 A.M.)

(Telegraphic.)

Bangkok, September 1, 1893, 3.35 P.M.

ONE Captain, four subalterns, one doctor, fifty French soldiers, and 100 Annamite soldiers composed the French garrison of Chantaboon.

The gun-boat "Lutin," stationed at the mouth of the river, has manned the forts there with twenty seamen and thirty Annamites.

No. 313.

Captain Jones to the Earl of Rosebery.—(Received September 3, 9.15 A.M.)

(Telegraphic.)

Bangkok, September 1, 1893, 4.35 P.M.

"SWIFT" arrived here this morning.

No. 314.

Captain Jones to the Earl of Rosebery.—(Received September 4, 9.45 A.M.)

(Telegraphic.)

Bangkok, September 4, 1893.

FIFTY additional soldiers have been sent to reinforce the French detachment at Chantaboon.

No. 315.

The Marquis of Dufferin to the Earl of Rosebery.—(Received September 5.)

My Lord,

Paris, September 4, 1893.

I HAVE the honour to transmit herewith to your Lordship an extract from the "Temps" of last night, giving details as to the captivity of Captain Thoreux and of his treatment by the Siamese.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 315.

Extract from the "Temps" of September 4, 1893.

ON a maintenant quelques détails sur la captivité du Capitaine Thoreux. Cet officier n'a pas subi de mauvais traitements, sauf, cependant, les deux premiers jours qui ont suivi son arrestation. Il a été, en effet, immédiatement ligoté pour être ainsi transporté en pirogue jusqu'à Khong. Il est resté là quatorze jours. On l'a ensuite dirigé sur Oubone, puis conduit jusqu'à cinq jours de Bangkok, d'où il a été ramené à Sisophon pour être envoyé à Battambang.

Le Capitaine Thoreux n'a pas pénétré jusqu'à Battambang même. Arrivé à Bacpreach, il a demandé à s'embarquer sur le "Colibri," des Messageries Fluviales de Cochinchine, ce qui lui a été refusé tout d'abord, et accordé seulement le lendemain. C'est à bord du "Colibri" qu'il est revenu au Cambodge.

Les tirailleurs et l'interprète ont été mis à la chaîne pendant toute leur captivité.

No. 316.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, September 5, 1893.

I HAVE read with much interest Mr. Phipps' despatch of the 1st instant, giving an account of conversations he has had with various official personages on the Siamese question.

I note with much satisfaction the moderate and conciliatory tone of their remarks, and their strenuous contradiction of some of the reports that have been current as to the nature of the demands now being made by France upon Siam.

I think it however right to observe that, upon some of the recent incidents, they seem to be imperfectly and even incorrectly informed, and the account given to Mr. Phipps of the entry of French gun-boats into the Menam differs essentially from that which Her Majesty's Government have received from their officers on the spot.

It seems clear from the reports of Her Majesty's Minister at Bangkok and of the Captain of Her Majesty's ship "Pallas," copies of which are inclosed herewith, that not only did the latter officer inform the Commanders of the "Inconstant" and "Comète," on their arrival off the bar, that they might expect a message from M. Pavie outside the river, but that they were duly warned by a Siamese officer that their entry would be opposed, and that about 5 P.M. a Siamese steam-launch arrived with a French officer, sent by M. Pavie, to communicate the arrangement come to with the Siamese Government. It was after they had been visited by this launch, and she had returned, that the gun-boats proceeded to the entrance of the river. It further appears, from the narrative of the master of the trading steamer "J. B. Say," published in the "Temps" (and inclosed in Mr. Phipps' despatch of the 29th ultimo), that on the vessels approaching the Siamese forts, which are situated within the mouth of the river, the latter fired two blank shots to warn them not to approach, which the vessels only answered by hoisting French ensigns at every mast-head, and continuing their course. However ill-advised and useless the resistance of the Siamese may have been, the responsibility for what followed rests primarily with the French officers, who so acted in flagrant opposition to the engagement made by the Representative of their Government, and who I observe have been publicly noted for promotion in recognition of their conduct.

It must be acknowledged that Her Majesty's Government have carefully avoided any action or language which could give ground for reproach or offence on the part of France. Over the English press Her Majesty's Government have no control, and it has naturally been the object of the Opposition in the House of Commons to represent in the strongest colours the risk and injury to British interests that will result from what is taking place. At the same time, it is impossible to disguise the fact, that a very bad impression has been created in this country by the course pursued by France towards a weak and defenceless Government; all the more so, as that course has, to all appearance, been principally dictated by M. de Lanessan, the present Governor of French Indo-China, and as it is in exact fulfilment of the programme of undisguised aggression and encroachment laid down in his published work on French colonial policy. It cannot be matter of surprise that these coincidences should strike even a superficial observer, and that, under the circumstances, the

constant increase of the French claims, the ultimatum, the supplementary guarantees, and now the reports of fresh demands and of ships summoned to support them by menace, should cause here deep suspicion and resentment.

That M. Develle should have resisted the pressure brought to bear on him in favour of tearing up the Treaty between France and Siam of 1867 is a proof of international good faith on his part which Her Majesty's Government gladly recognize, but which they would be sorry to consider exceptional. They hope they are justified in believing that the same feeling will prevent his countenancing any attempts on the part of the French Special Envoy to insist on conditions which would be in practical contravention of the stipulations of that Treaty.

I am, &c.
(Signed) ROSEBERY.

No. 317.

Admiralty to Foreign Office.—(Received September 6.)

Sir,

Admiralty, September 5, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, two letters from the Senior Officer on the Straits of Malacca, dated the 27th and 28th July last, relative to affairs in Siam.

I am to request that these inclosures may be returned to the Admiralty when done with.

I am, &c.
(Signed) R. D. AWDRY.

Inclosure 1 in No. 317.

Captain MacLeod to Vice-Admiral Sir E. Fremantle.

Sir,

"Pallas," off the Menam River, Bangkok, July 27, 1893.

I HAVE the honour to report that since the date (8th July) of my last general letter the following movements and events have taken place in the Straits of Malacca Division:—

"Pallas" has remained off Bangkok River Bar (occasionally visiting Koh-si-Chang for mail work) watching British interests, and will continue to do so now that the French blockade has been declared.

"Linnet" arrived at Bangkok on the 14th instant, and remains off the Legation to maintain order (in the event of rioting among the Chinese), assisted by the German gun-boat "Wolf" and Dutch gun-vessel "Sumbawa."

"Swift" proceeded outside the Bangkok River on the 26th. Remains to keep up mail communications.

"Pigmy" left Singapore on the 26th for Bangkok.

"Egeria" surveying at Anamba Islands. Due at Singapore 30th July.

On the 13th instant the French gun-boats "Inconstant" and "Comète," in the face of warning from the Siamese not to cross the bar under peril of being fired at by the forts, forced the passage under fire, and proceeded to anchorage off the French Legation at Bangkok.

On the 25th they proceeded to Paknam, accompanied by the "Lutin," preparatory to leaving the river yesterday, which they did in the afternoon, and anchored outside.

On the 14th the French cruiser "Forfait" (Senior Naval Officer) arrived from Saigon, and on the 24th the "Lion" from Koh Samit.

I yesterday received official communication from Captain Reculoux, of the "Forfait," declaring a French blockade of Siamese ports on the roadsteads on the coast and islands northward of Point Chulai on the west and Point Lem Kra-bang on the east of Gulf of Siam, three days' grace being allowed to friendly ships in which to leave blockaded ports (copy inclosed).

The French flag has just been hoisted at Koh-si-Chang.

I have, &c.
(Signed) ANGUS MACLEOD.

Inclosure 2 in No. 317.

*Captain Reculoux to Captain MacLeod.**A bord le "Forfait," le 26 Juillet, 1893.*

NOUS soussigné, Capitaine de Vaisseau, Commandant Supérieur des bâtiments actuellement dans le Golfe de Siam, agissant suivant les ordres du Contre-Amiral, Commandant-en-chef la Division Navale de l'Extrême Orient, et en vertu des pouvoirs qui lui appartiennent, déclarons qu'à partir du 26 Juillet, 1893, à 5 heures de l'après-midi, tous les ports en rades de la côte et des îles Siamoises compris entre la Pointe Chulai et la Pointe Lem Krabang en passant par le nord (ces points, le premier, par 13° 3' de latitude nord et 97° 43' de longitude est du méridien de Paris; le second, par 13° 5' de latitude nord et 98° 31' de longitude est du méridien de Paris) seront tenus en état de blocus effectif par les forces navales sous nos ordres, et que les bâtiments amis auront un délai de trois jours pour quitter les lieux bloqués.

Il sera procédé contre tout bâtiment qui tenterait de violer le dit blocus conformément aux lois internationales et aux Traités en vigueur.

A bord du croiseur le "Forfait," mouillage de la barre de Bangkok.

(Signé) A. RECULOUX.

(Translation.)

On board the "Forfait," July 26, 1893.

WE, the Undersigned, "Capitaine de Vaisseau," Senior Officer of the men-of-war now employed in the Gulf of Siam, acting under the orders of the Rear-Admiral, Commander-in-chief of the Eastern Squadron, and in virtue of the powers vested in him, hereby declare that on the 26th July, 1893, at 5 P.M., all the ports in the roadsteads on the coast and the Siamese islands between Point Chulai and Point Lem Krabang to the northward (these points, the first, 13° 3' north and 97° 43' east, Paris meridian; the second, 13° 5' north, 98° 31' east, Paris meridian) will be effectively blockaded by the naval forces under our orders, and the friendly ships will have three days' grace to leave the blockaded ports.

Proceedings will be taken against all vessels attempting to violate the blockade, in accordance with international law and the Treaties in force.

Given on board the cruiser "Forfait," anchored off the bar at Bangkok.

(Signed) A. RECULOUX.

Inclosure 3 in No. 317.

*Captain MacLeod to Vice-Admiral Sir E. Fremantle.**"Pallas," off the Mouth of the Menam River,
July 28, 1893.*

(Extract.)

I HAVE the honour to report that, as mentioned in my letter of the 14th July and postscript, I proceeded to Bangkok on the 14th instant, the day after the forcible entry by French gun-boats, and inquired fully into the state of affairs while staying at the British Legation.

I found all apparently peaceful, and a general impression that matters would soon be satisfactorily settled. At the same time, intense mutual apprehension was evident in the actions and warlike preparations of the French and Siamese forces.

I returned to the "Pallas" on the 15th, and on the 17th added a postscript to my letter of the 14th July.

On the 18th I again went up to Bangkok, and, by special request of Her Britannic Majesty's Minister, called with him upon His Royal Highness Prince Devawongse on the 19th, as he wished me to give him (the Prince) an account of the proceedings of the "Inconstant" and "Comète," as seen from the "Pallas" on the evening of the 13th.

I complied, of course, and a long interview took place, my own share in which, towards the close, consisted purely and simply of a verbatim description of the arrival, pause, and entry of the French vessels.

Matters still looking hopeful, I returned to the "Pallas" on the 20th instant, and the same day had further interview with Captain Reculoux.

On the 21st I proceeded in the "Pallas" to Koh-si-Chang, but upon receipt of intelligence that a French ultimatum had been handed in by M. Pavie, returned to the bar on the 22nd to wait for further news.

On the 24th the report came out that the ultimatum had not been unreservedly

accepted by the Siamese, in consequence of which the French Minister intended to haul down his flag and declare a blockade. I therefore went up to Bangkok to make sure of the position of affairs there before being shut out.

On my arrival I found that the French Minister had indeed hauled his flag down, was making all arrangements for departure in the "Inconstant," and had handed over the charge of French interests to the Dutch Consul-General. The Siamese were preparing another note to M. Pavie, and a less abrupt termination to negotiations was still thought possible.

On the 25th, in the afternoon, having been courteously provided with pilots by the Siamese Government, the "Inconstant" (with the French Minister on board), "Lutin," and "Comète" left Bangkok, and anchored for the night below Paknam.

Having fully satisfied myself as to the security ready to be afforded to life and property, in case of rioting among the Chinese, by the "Linnet," "Wolf," and "Sumbawa," and with the full concurrence and approval of the British Minister, I decided to withdraw the "Swift" before she could be blocked in, and proceeded in her, out of the river, on the 26th, passing the French ships *en route*, and arriving at the outer (bar) anchorage at 5 P.M., near the "Pallas."

A French officer had just delivered a formal notification of effective blockade, declared as existing from 5 P.M. on the 26th, the particulars of which I have already reported in my letter of the 26th instant.

Shortly afterwards the three French ships emerged from the river, and joined the "Forfait" and "Lion," a great ovation being given to the "Inconstant" and "Comète" in honour of their gallant bearing under fire at the forcing of the entrance.

At 9 A.M. on the 27th (yesterday) the French squadron weighed and proceeded towards Koh-si-Chang, and as soon as clear of this anchorage exchanged distant gun-signals with that island, whereupon the French flag was immediately hoisted there.

At 11:30 A.M. I directed the "Swift" to communicate with the French Senior Naval Officer at Koh-si-Chang to ask the exact meaning of the French flag being hoisted (as it was already a blockaded port), and Commander Kirby was informed that it simply denoted an occupation of a temporary nature, not acquisition.

At the same time, Commander Kirby visited the various ships loading there, and found their masters were thoroughly aware of the period of grace and limits of blockade. Every care had been taken by the French to warn them and make every detail clear.

French gun-boats are already very busy in the bay, stopping and warning junks, &c.

No. 318.

Captain Jones to the Earl of Rosebery.—(Received September 6.)

(Telegraphic.)

Bangkok, September 5, 1893.

THE Siamese Government are accused by M. Le Myre de Vilers of being slow to carry out the conditions of the French ultimatum. The instances which he refers to are, however, unreasonable. The indemnity has already been paid, and every effort is made to fulfil promptly the obligations which have been undertaken.

No. 319.

Colonial Office to Foreign Office.—(Received September 6.)

Sir,

Downing Street, September 6, 1893.

I AM directed by the Marquis of Ripon to request you to lay before the Earl of Rosebery the inclosed copy of a despatch from the Governor of the Straits Settlements, requesting instructions as to the treatment to be accorded to French and Siamese vessels of war in event of a blockade of the Siamese ports by the French naval forces.

Lord Ripon proposes, if Lord Rosebery should see no objection, to inform the Officer administering the Government of the Straits Settlements that, in this and in similar cases, he should be guided by the instructions of 1885 referred to in Sir Cecil Smith's despatch.

I am, &c.

(Signed) EDWARD FAIRFIELD.

Inclosure 1 in No. 319.

Governor Sir C. Smith to the Marquis of Ripon.

My Lord,

Government House, Singapore, July 27, 1893.

I HAVE the honour to report to your Lordship that I have received this morning from Her Majesty's Minister Resident at Bangkok a telegram announcing that the French Commander had declared a blockade of all the ports of Siam from Chulai to Lem Krabang. This declaration took effect at 5 p.m. on the 26th instant.

2. On the 25th instant I received an application (copy inclosed) from the French Consul, that the French cruiser "Papin" might be permitted, on her arrival, to enter this port, which was granted. I have, however, thought it right, in view of the declaration of the blockade above reported, to seek instructions from your Lordship, as it may be proper to enforce the provisions of section 10 of the Foreign Enlistment Act, as was done during the Franco-Chinese war in 1885 (see Parliamentary Paper "France No. 1 (1885)," p. 12).

I have, &c.

(Signed) CECIL C. SMITH.

Inclosure 2 in No. 319.

M. de Gaspary to Governor Sir C. Smith.

M. le Gouverneur,

Singapore, le 24 Juillet, 1893.

JE suis informé de l'arrivée prochaine du croiseur Français le "Papin," qui fera peut-être à Singapore une relâche de plusieurs jours. Votre Excellence veut-elle avoir la bonté de donner les ordres d'usage pour l'admission de ce bâtiment de guerre dans le port ?

Veuillez, &c.

(Signé) E. DE GASPARY.

(Translation.)

Sir,

Singapore, July 24, 1894.

I AM informed of the approaching arrival of the French cruiser the "Papin," which will probably stay at Singapore several days. Would your Excellency be good enough to give the usual orders for her admission to that port ?

Receive, &c.

(Signed) E. DE GASPARY.

No. 320.

*Malay Peninsula Exploration Syndicate to the Earl of Rosebery.—(Received September 7.)**14, George Street, Mansion House, London,**September 6, 1893.*

My Lord,

I AM instructed by the Directors of the Malay Peninsula Exploration Syndicate (Limited) to submit to your Lordship—

1. That this Syndicate was formed primarily for the purpose of constructing a ship-canal across the Malay Peninsula between Kra and the other side of the peninsula; and

2. That this Syndicate is the possessor of valuable investigations, surveys, and studies made on the spot at a cost of upwards of 30,000l.

When this Syndicate was formed an assurance was made that the Government of Siam had entertained no objection on principle to the construction of the canal, and that provided certain interests were safeguarded there would be no difficulty in granting the concession.

In consequence of the great financial crisis which took place since the incorporation of the Company, and for other reasons which, for the purpose of the present communication, it is not material to mention, the efforts of this Syndicate to carry through this work have compulsorily remained quiescent.

My Directors have recently seen statements in the public press that the proposed canal is being brought prominently forward, and they deem it their duty, in the protection of the interests confided to their care, to communicate with your Lordship

in the hope that this Syndicate may not be prejudiced by any action taken with reference to this matter without its interests being duly considered.

I have, &c.

(Signed) EDWD. H. FLETCHER, *Secretary.*

No 321.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, September 7, 1893.

THE accounts which are received from various sources of the negotiations now proceeding between the French Special Envoy, M. Le Myre de Vilers, and the Siamese Government, are of a nature to cause some disquietude.

Some of the reports which have been published in the press are no doubt exaggerated, and some altogether devoid of foundation. But those which have been received by telegraph from Her Majesty's Minister at Bangkok, the correctness of which there can be no reason for doubting, show that the tone of the Envoy has on occasions been threatening, and that the stipulations of the Treaty which he is proposing for the acceptance of the Siamese Government not only considerably exceed the terms of the ultimatum and of the supplementary guarantees assented to by Siam, but are calculated to materially impinge on that independence and integrity of the Siamese kingdom which the French Government have so explicitly pledged themselves to respect.

The inclosed comparison of these with the abstract of the draft Treaty received from Bangkok, and the account of other demands made by the Envoy, sufficiently establish this fact.

It will be desirable that your Excellency should speak to M. Develle on this subject with perfect frankness. Her Majesty's Government have no wish to thwart any legitimate extension of French influence or commerce in those regions. But they are bound to watch over the British commercial interests already established, and they cannot ignore the weighty considerations which render the maintenance of Siam as an independent kingdom without further reduction of her territories a matter of serious importance to Great Britain. Her rights to the provinces which remain to the west of the Mekong are indisputable, and could not be infringed without serious, perhaps fatal, injury to her integrity and independence.

On this latter ground, Her Majesty's Government see strong objections to any proposals which would give to France a permanent hold over the port of Chantaboon, or the Provinces of Battambang and Angkor, and, indeed, to any further territorial acquisitions by France at the expense of Siam, such as would practically result from the establishment of dépôts, or from special engagements as to the administration of the country on the right bank of the Mekong. It now appears that the condition that no military force shall be maintained by Siam within a distance of 25 kilom. of the Mekong is interpreted by the French Government as meaning that along the whole course of that river, where it forms, or will in future form, the frontier of Siam, a zone of 25 kilom. is to be kept clear of all military forces even for purposes of police, and that within that zone all fortified posts even of a purely defensive nature are to be destroyed. The stipulation may be described as affecting a territory of not less than 8,000 square miles, which will thus be subtracted from the full exercise of Siamese sovereignty, and as throwing open the Siamese frontier for a distance of over 500 miles on the north and east. Even without attempting to supplement this by further provisions, as M. Le Myre de Vilers now apparently proposes to do, it is sufficiently clear that the proposal is a grave blow at that integrity and independence of the Siamese kingdom which the French Government have so often and so specifically promised to respect.

Whatever facilities may be required on the right bank for the navigation of the river, as, for instance, stores of coal or sites for the construction of locks, could very easily be provided for by stipulations for the lease of land at spots to be determined upon by mutual agreement, so as to leave intact the Siamese rights of sovereignty. But even then it would seem a better arrangement, and one less open to suspicion, that the French Government should adhere strictly to the line laid down in their own ultimatum.

I have every reason to believe that the report that M. Le Myre de Vilers has asked, or has been instructed to ask, for a concession to a French Company for cutting a

canal through the Kra Peninsula, is incorrect. Any measures or projects of this kind affecting the Siamese possessions in the Malay Peninsula, lying as these do between the Straits Settlements and the British-Indian possessions in Tenasserim, would seriously concern Great Britain, and Her Majesty's Government have a right to claim that they shall not be intrusted to the nationals of a third Power without their participation and consent.

I equally believe that the report is unfounded, that the French Envoy has demanded the exclusive grant to French citizens of all concessions for public improvements, &c., in the Provinces of Battambang and Angkor. Such a stipulation would be in obvious contravention of the stipulation of Article X of the Treaty between Great Britain and Siam of 1855, which prescribes that "the British Government and its subjects will be allowed free and equal participation in any privileges that they have been, or may hereafter be, granted by the Siamese Government to the Government or subjects of any other nation."

It may, therefore, be unnecessary for your Excellency to do more than make a passing allusion to these two points, as matters in regard to which any claim, such as that which has been reported in the press, would at once call forth an emphatic protest from us.

On the other hand, Her Majesty's Government cannot regard the demand, which M. Le Myre de Vilers has apparently made, for the dismissal of the foreign officers employed in the Siamese service, and the condition laid down by him that the King's Belgian Adviser, M. Rolin Jacquemins, shall be altogether excluded from the negotiations, as otherwise than straining to the utmost point the independence of Siam, with respect to which the French Government have, as I have already said, given such explicit pledges.

You will remind M. Develle that Her Majesty's Government, having informed that of Siam that in their opinion the best course would be to accept the French ultimatum, and having afterwards recommended the concession of the supplementary guarantees, which were characterized by M. Develle, in a spirit of large and liberal definition, as not raising any points outside of the four corners of the ultimatum, feel bound to promote to the best of their ability the fair execution of the agreement arrived at, and its being kept, for all practical purposes, within the limits originally laid down. They have, as M. Develle knows, abstained from interference in the dispute between France and Siam except where British interests were concerned, as, for instance, in the maintenance of a neutral zone between the British and French possessions in the neighbourhood of the Upper Mekong. But, as I have stated above, and as has been publicly announced in Parliament, they regard the independence and integrity of Siam as a British interest of high importance, and the attitude of reserve which they have observed has been largely due to the repeated assurances of the French Government that those were objects in which they were equally interested, and which they were equally determined to respect.

The foreign trade of Siam is at present almost entirely in British hands, and we could not preserve an attitude of benevolence or neutrality towards any attempt to impose restrictions on it with the view of diverting it into other channels. To fair competition Her Majesty's Government make, and can make, no objection, but in the event of attempts of the nature referred to, even if they were themselves disposed to be inactive (which they are not), the feeling of the commercial community in this country would at once compel a different attitude. There have not been wanting during the last few weeks manifestations of strong feeling on this point, which, if the reports that have been prevalent were confirmed, would soon be irresistible.

On this account, and in view of the irritation to which the question has given rise in both countries, I would wish your Excellency to impress upon M. Develle the importance for both Governments of bringing to a speedy settlement the negotiations proceeding at Bangkok, and those which you are conducting with him. If the question should continue much longer in its present phase, the effect on the relations between the two countries cannot be otherwise than most unfortunate. M. Develle's language has hitherto been so moderate and friendly, that I cannot but hope that you will find him equally desirous of bringing matters to a speedy and satisfactory issue.

I am, &c.
(Signed) ROSEBERY.

Inclosure in No. 321.

*Terms of French Ultimatum, and of additional
Guarantees.*

*French demands on Siam, as made by
M. Le Myre de Vilers.*

Recognition of the rights of Cambodia and Annam to left bank of River Mekong and the islands. The Siamese shall evacuate within one month's time any posts which are there held by them.

No Siamese armed vessels to be stationed on Tonlé Sap Lake.

No military force shall be maintained by Siam at Battambang and Siamrath, or within a distance of 25 kilometres of the Mekong. Within this zone the Siamese shall be allowed to have only police forces and stores.

*Terms of French Ultimatum, and of additional
Guarantees*

1. Government of Siam recognize rights of sovereignty of Annam and Cambodia over the islands in the Mekong, and all the territories on the left bank of the river.

2. Police of the Mekong River and of Great Lake belongs to French Government, and on these waterways the Siamese Government renounces the right to keep any armed boats or vessels.

3. The Siamese Government will not construct any fortified post or military establishment in the Provinces of Angkor and Battambang, nor within a radius of 25 kilometres from the right bank of the Mekong. Those already existing within these limits will be demolished.

*French demands on Siam, as made by
M. Le Myre de Vilers.*

4. In the reserved zones nothing will be changed as regards the existing native administration; the police will be undertaken by the local authorities, and no military force, regular or irregular, will be maintained there.

5. No Customs posts will be created; no tax will be levied on importation or exportation within the zones reserved as above mentioned.

6. On the right bank of the Mekong the French Government may construct depôts of wood and coal, and any works necessary to navigation.

7. French citizens, subjects, and those under French protection may freely circulate within the reserved territories with a passport delivered by French authorities; and reciprocity will be accorded to the inhabitants of the said zone.

8. Within this said zone, French Government reserves the right of establishing Agencies wherever it may see fit in the interests of its subjects, or those under its protection. The Siamese Government will concede gratuitously the necessary ground for the establishment of the said Agencies.

9. French Government reserves the right of establishing Consulates at Nan and Korat.

10. Those under French protection and French subjects registered in Consulate are all under French jurisdiction.

11. Plenipotentiaries by a special Convention will regulate the measures of execution of the said Treaty.

12. The French text alone will be valid.

13. The present Treaty should be ratified within a delay of four months, counting from the day of signature.

Right to establish Consulates at Nan and Korat reserved by France.]

M. Le Myre de Vilers added that a few more advantages for French Colonials would be asked for, in return for which France would grant two favours, which were not, however, specified. The expulsion of all "Danish mercenaries" from Siam was also required.

No. 322.

The Marquis of Dufferin to the Earl of Rosebery.—(Received September 8.)

My Lord,

Paris, September 7, 1893.

YESTERDAY morning was the first opportunity I have had of seeing M. Develle since my arrival, his Excellency having been absent from Paris.

After congratulating his Excellency on his recent election, I informed him that I had been instructed by your Lordship to renew our negotiations in relation to the independent territory to be erected between our respective Indo-Chinese possessions, and, consequently, that I had come to place myself at his disposal for that purpose.

M. Develle did not seem to be quite prepared for this announcement, and said that he could hardly undertake to discuss that branch of the question until after all matters connected with the recent dispute between France and Siam had been wound up, adding that the Siamese seemed inclined to delay the fulfilment of their obligations, even the Island of Khone not having been yet evacuated.

Upon my observing that the two questions were quite independent the one of the other, he further remarked that he was still destitute of all the local information he wished to have before the region referred to was delimited. In short, he showed a strong desire to postpone entering at the present moment upon the discussion of the "buffer" State, in spite of my reminding him that it would be soon necessary for Her Majesty's Government to present to Parliament a Siamese Blue Book, in which, of course, your Lordship would be anxious to include the terms finally arrived at in relation to the various matters which had already been discussed between us.

The conversation then reverted to the mission of M. Le Myre de Vilers, and the negotiations that were going on at Bangkok between the French and Siamese Representatives.

In reference to these M. Develle remarked, with surprise and regret, on the excitement exhibited, both in the English press and in the English Parliament, in regard to the Franco-Siamese dispute. Public opinion in France had long since considered the whole question as terminated, and was preoccupied by other matters, but the language of the English newspapers and of the English Representatives might produce a recrudescence of violent articles in the French press, which was a result to be deplored.

I said that undoubtedly public opinion had been very much attracted of late to what was passing in Bangkok, and especially to the fact that the French Representatives had had the appearance of presenting three ultimatums. To use the language of the grammarians, the Siamese Government were now in the possession of an ultimatum, a penultimatum, and an ante-penultimatum. In fact, the word "ultimatum" had completely lost its meaning, for each new one seemed to procreate a successor. On this, M. Develle exclaimed that M. Le Myre de Vilers' conditions were in no sense an ultimatum; that they were merely proposals to be examined, such as was the case in every negotiation.

I said I was glad to hear that, for some of M. Le Myre de Vilers' demands seemed to be altogether outside and in excess of the terms of the ultimatum. For instance, clause No. 5 seemed to have the appearance of incorporating the provinces of Battambang and Angkor with Cambodia in a kind of "Zollverein," which would be an arrangement quite incompatible with the maintenance of the independence and integrity of Siam, in respect to which his Excellency had given Her Majesty's Government so many assurances.

With regard to the desire of the French to obtain a grant of certain lands on the right bank of the Mekong, M. Develle said that it was not territory that was sought, but merely small plots for the deposit of coal, and to facilitate whatever works might be necessary to improve the navigation of the river.

Before taking my leave, I asked M. Develle what his views were in regard to the final disposal of the independent territory we were proposing to erect. He said that he was inclined to persevere in his previous suggestion, that it might, under certain eventualities, be handed over to China.

I have, &c.
(Signed) DUFFERIN AND AVA.

No. 323.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, September 9, 1893.

THE present seems an extremely opportune moment for M. Develle and your Excellency to come to a settlement on the main features and, indeed, the details of the arrangement respecting the neutral territory to be interposed between the British and French possessions in the vicinity of the Upper Mekong. It is an opportunity of which a clear-sighted statesman will see the expediency of seizing. A settlement will be made difficult on both sides of the Channel by discussions in the press if the question is postponed.

With reference to the new demands put forward by France, the treatment of the two Provinces of Battambang and Angkor as separate, and distinct from the other portions of the Siamese Kingdom, seems to us inadmissible.

Nor, as far as I am able to judge, is there any justification for an attempt to constitute a new boundary of Siam, which would practically be the effect of extending along the whole length of the Mekong a reserved zone of 25 kilom.

No. 324.

Admiralty to Foreign Office.—(Received September 12.)

Sir,

Admiralty, September 8, 1893.

I AM commanded by the Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State, copy of letters received from Captain Angus MacLeod, of Her Majesty's ship "Pallas," dated the 31st July and 1st August, respecting the establishment of the French blockade of the coasts of Siam.

I am, &c.
(Signed) R. D. AWDRY.

Inclosure 1 in No. 324.

Captain MacLeod to Vice-Admiral Sir E. Fremantle.

*"Pallas," off the mouth of the Menam River, Bangkok,
July 31, 1893.*

Sir,

I HAVE the honour to forward herewith copies of a letter from Rear-Admiral Humann, Commander-in-chief of the French squadron in the Far East, inclosing an amended declaration of blockade (extending the limits of operations), and my acknowledgment thereof.

I have, &c.
(Signed) ANGUS MACLEOD.

Inclosure 2 in No. 324.

Rear-Admiral Humann to Captain MacLeod.

M. le Commandant,

"Triomphante," à Koh-si-Chang, le 29 Juillet, 1893.

J'AI l'honneur de vous envoyer ci-joint notification officielle du blocus que, suivant les ordres du Gouvernement de la République, j'établis effectivement, à partir d'aujourd'hui sur une certaine portion des côtes du Royaume de Siam.

Je crois devoir appeler votre attention sur les deux points suivant :—

1. La première zone bloquée comprenant toute la partie qui s'étend depuis la ligne—Pointe Chulai à la Pointe Lem Kra-bang—jusqu'au fond du Golfe de Siam, les navires qui s'y trouvent actuellement devront sortir de cette zone dans les délais fixés par l'acte de blocus ci-joint.

2. D'après les ordres de mon Gouvernement, les dispositions du blocus, en ce qui concerne les délais de départ, sont aussi bien applicables aux bâtiments de guerre qu'aux bâtiments de commerce. Il vous appartient de prendre à l'égard des navires de la Marine Anglais qui sont à Bangkok, et de ceux qui stationnent devant la barre, les mesures que vous jugerez convenables.

L'acte de notification provisoire fait par M. le Commandant Reculoux se trouve annulé de fait par celui que j'ai l'honneur de vous faire parvenir.

Recevez, &c.

(Signé) HUMANN.

(Translation.)

Captain,

"*Triomphante*," at Koh-si-Chang, July 29, 1893.

I HAVE the honour to send you herewith official notification of blockade which, according to the orders of the Government of the Republic, I establish effectively, from to-day, on a certain portion of the coasts of the Kingdom of Siam.

I think it right to call your attention to the two following points :—

1. The first blockaded zone comprises all the part that extends from the line Point Chulai to Point Lem Kra-bang, as far as the back of the Gulf of Siam; the ships that actually find themselves therein should leave this zone within the delay fixed by the act of blockade herewith.

2. From the orders of my Government the blockade arrangements which concern delays of departure are equally applicable to ships of war as to merchant-ships. It is for you to take, with regard to the vessels of the English navy that are at Bangkok, and of those stationed at the bar, the measures that you consider proper.

The provisional act of notification made by Captain Reculoux is proved to be annulled, in fact, by this that I have the honour to succeed it with.

Receive, &c.

(Signed) HUMANN.

Inclosure 3 in No. 324.

Notification of Blockade, dated July 29, 1893.

NOUS Soussigné, Contre-Amiral Humann, commandant-en-chef les forces navales Françaises en Extrême-Orient;

Vu l'état de représailles existant entre la France et le Siam, agissant en vertu des pouvoirs qui nous appartiennent,

Déclarons :

Qu'à partir du 29 Juillet, 1893, la côte et les ports de Siam compris—

1. Entre la Pointe Chulai, latitude 13° 02' nord, longitude 97° 43' est, et la Pointe Lem Kra-bang, latitude 13° 05' nord, longitude 98° 31' est;

2. Entre la pointe sud de l'île Ko-samit, latitude 12° 31' nord, longitude 99° 06' est, et la Pointe Lem Ling, latitude 12° 11' nord, longitude 93° 58' est;

Seront tenus en état de blocus effectif par les forces navales placées sous notre commandement, et que les bâtiments amis ou neutres auront un délai de trois jours pour achever leur chargement et quitter les lieux bloqués.

Les limites du blocus s'étendront :—

1. Pour la première zone bloquée jusqu'à une ligne joignant la Pointe Chulai (ci-dessus désignée) à la Pointe Lem Kra-bang (ci-dessus désignée).

2. Pour la deuxième zone bloquée jusqu'à une ligne joignant la Pointe de l'île Ko-samit (ci-dessus désignée) à la Pointe Lem Ling (ci-dessus désignée).

Il sera procédé contre tout bâtiment qui tenterait de violer le dit blocus conformément aux lois internationales et aux Traités en vigueur avec les Puissances neutres.

A bord de la "Triomphante," cuirassé de croisière Français, à Koh-si-Chang, le 29 Juillet, 1893.

(Signé) HUMANN.

(Translation.)

WE, the Undersigned, Rear-Admiral Humann, Commander-in-chief of the French Naval Forces in the Extreme East;

In view of the state of reprisals existing between France and Siam, acting in virtue of the powers that pertain to us,

Declare :

That from the 29th July, 1893, the coast and ports of Siam comprised—

1. Between Point Chulai, latitude $13^{\circ} 2'$ north, longitude $97^{\circ} 43'$ east, and Point Lem Kra-bang, latitude $13^{\circ} 5'$ north, longitude $98^{\circ} 31'$ east;

2. Between the south point of Ko-samit Island, latitude $12^{\circ} 31'$ north, longitude $99^{\circ} 6'$ east, and Point Lem Ling, latitude $12^{\circ} 11'$ north, longitude $93^{\circ} 58'$ east;

Will be held in a state of effective blockade by the naval forces placed under our command, and that friendly ships or neutrals will have a delay of three days to complete their loading and quit the blockaded places.

The limits of the blockade will extend:—

1. For the first blockaded zone, to a line joining Point Chulai (before described) to Point Lem Kra-bang (before described).

2. For the second blockaded zone, to a line joining the point of Ko-samit Island (before described) to Point Lem Ling (before described).

Proceedings will be taken against all ships which attempt to violate the said blockade, conformably to international law and to Treaties in force with neutral Powers.

On board the "Triomphante," French armoured cruizer, at Koh-si-Chang, the 29th July, 1893.

(Signed) HUMANN.

Inclosure 4 in No. 324.

Captain MacLeod to Rear-Admiral Humann.

"Pallas," off the mouth of the Menam River, Bangkok,

July 29, 1893.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of this date, inclosing an amended declaration of blockade, which shall have my careful attention.

I have, &c.

(Signed) ANGUS MACLEOD.

Inclosure 5 in No. 324.

Captain MacLeod to Vice-Admiral Sir E. Fremantle.

(Extract.) "Pallas," at Koh Lan (Gulf of Siam), August 1, 1893.

IN continuation of my Report in my letter of the 28th ultimo, I have the honour to inform you of Rear-Admiral Humann's arrival at Koh-si-Chang on that date, and that he at once issued an amended declaration of effective blockade, copy of which I am forwarding to you herewith.

To clear up some doubtful points in the text, I proceeded in Her Majesty's ship under my command to Koh-si-Chang on the 30th ultimo, and had a lengthy and satisfactory interview with Admiral Humann, returning to the bar anchorage the same evening.

The main points in which the amended declaration differs from the original one issued by Captain Reculoux are—

(a.) The substitution of a line drawn from point to point across the "pocket" of the Gulf of Siam, for the coastwise 3 miles limit first intended; and

(b.) The addition of a zone commanding the important outlet to the rich trade of the Chantaboon River district.

The Admiral informed me that five or six more vessels were expected to strengthen his squadron (which already consists of "Triomphante," "Forfait," "Inconstant," "Lutin," "Comète," and "Lion"), and the blockade will be most effectively maintained, not only by patrolling "cordons," but, inside these outer lines, the mouths of all the important rivers will be guarded also.

Yesterday I proceeded to Koh Lan, the anchorage I have decided upon making head-quarters for the "observing ships," and returned to the bar this morning to make final communication with Bangkok. The "Swift" and "Pigmy" (which latter arrived yesterday) came over here this afternoon, in advance of the "Pallas," and the "Pallas" arrived (having left full instructions up to date with Captain Chisholm-Batten, of the "Linnet," as to the defence of the Europeans and property in case of Chinese riots) at 10 P.M.

The "Swift" leaves to-morrow for Singapore with the Minister's mail and despatches, returning here, unless you direct otherwise, by about the 14th.

"Pallas" and "Pigmy" will occasionally pass (well outside) the zone lines, to make sure the blockade is maintained effectively.

I have given very stringent orders to the officers and men as to the necessity for the practical observance of neutrality in its fullest sense as to affording, even unwittingly, information to either side.

Admiral Humann has very kindly offered to have our mails conveyed via Saigon, and to give us facilities for getting supplies by the same route.

No. 325.

Foreign Office to Malay Peninsula Exploration Syndicate.

Sir,

Foreign Office, September 12, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 6th instant, expressing a hope that the interests of your Syndicate may not be prejudiced by any action which may be taken for the construction of a ship-canal across the Malay Peninsula.

I am to say, in reply, that your representation on this subject will be borne in mind.

I am, &c.
(Signed) T. H. SANDERSON.

No. 326.

Foreign Office to Colonial Office.

Sir,

Foreign Office, September 13, 1893.

WITH reference to your letter of the 6th instant respecting the blockade of the coast of Siam, I am directed by the Earl of Rosebery to state that the instructions given on this subject to the Governor of the Straits Settlements, and subsequently revoked, seem to render any further directions on the subject unnecessary.

I am, &c.
(Signed) T. H. SANDERSON.

No. 327.

The Earl of Rosebery to the Marquis of Dufferin.

(Extract.)

Foreign Office, September 13, 1893.

THE French Chargé d'Affaires paid me a visit to-day, as he had received several confidential letters from M. Develle with reference to the Franco-Siamese negotiations, which it was stated his Excellency was anxious to bring to a conclusion.

I said that I was rejoiced to hear this, for it coincided with my own view. But how, I asked, was I to forward matters which were entirely in M. Develle's hands and not in mine?

M. d'Estournelles replied that the Siamese were unreasonable and constantly

interposed difficulties. He thought that if I made it quite clear that Her Majesty's Government preserved their neutral attitude it would greatly accelerate the settlement of the affair.

In answer to this observation I spoke to M. d'Estournelles with earnestness and emphasis. I told him I had never changed the neutral attitude I had endeavoured to preserve. I had indeed exceeded it by pressing on the Siamese the acceptance not merely of the first ultimatum, but also of the second. It was, however, impossible for me to press on them the third, which M. Le Myre de Vilers had now produced at Bangkok. I could not help also remarking that the French Plenipotentiary had taken an unprecedented course in refusing to meet M. Jacquemyns, who, though he was a foreigner, had been for some time in the service of the Siamese Government. If Siamese independence was to be respected by placing a veto on the persons whom that Government thought fit to employ, there would be little left of it. Indeed, I thought the French Government had committed a mistake in their own interests in thus discarding an intelligent European as a channel of communication.

M. d'Estournelles, in reply, reiterated the wish, which he knew to be that of M. Develle, that the question should soon be settled, and with this I repeated my cordial concurrence. But it lay with him and not with me. The opportunity, I continued, was propitious. As I had telegraphed to your Excellency on Saturday last, it was now the obvious task of a real statesman in the position of M. Develle to finish the business immediately, before the meeting of the Chamber and before the recess of our Parliament, while public attention was not specially directed to it. Soon, for lack of other material, the newspapers in England, and perhaps in France, would begin once more to dilate on the question, and a polemical feeling would be awakened on both sides of the Channel. But instead of an attempt to close the controversy, your Excellency was told by M. Develle that now was not the time to settle the new limits of the neutral State, and that this point should be adjourned until the French Plenipotentiary had obtained all that he desired of Siam.

In my opinion a greater mistake could not be made, or one more likely to injuriously affect the relations of the two countries. The Siamese desired to fulfil every term of the first and second ultimatums, and, as I had said before, I could not ask them to accept the third.

M. d'Estournelles promised to reflect on what I had said, and to communicate his impressions to M. Develle.

No. 328.

The Marquis of Dufferin to the Earl of Rosebery.—(Received September 15.)

(Extract.)

Paris, September 14, 1893.

I WAITED yesterday upon M. Develle, and having spoken to him at length in accordance with the tenour of your Lordship's despatch of the 7th instant, I proceeded to call his attention to the anxiety felt in England in regard to what appeared to be an entirely new series of demands recently presented by M. Le Myre de Vilers to the Siamese Government, demands which were undoubtedly in excess of, and outside, both the ultimatum and the "supplementary guarantees." I also remarked on an expression which was more than once repeated in M. Le Myre de Vilers' paper, and which seemed to carry with it both an ambiguous and a sinister meaning, namely, the term "reserved districts." In regard to these districts, which appeared to comprise the Provinces of Battambang and Angkor and a zone 16 miles broad, and extending along the right bank of the Mekong up to the Chinese frontier, and including, therefore, many thousands of square miles, certain restrictions seemed to be imposed on the exercise of Siam's sovereign rights and the freedom of her executive action, for it was claimed that within this territory nothing could be changed as regards the existing native administration. In other words, were this clause to be agreed to, it would imply the erection of an *imperium in imperio*, which Siam would be precluded from reorganizing in such a manner as might be found advisable, and might eventually result in the complete emancipation of the local authorities from the control of the Government at Bangkok. Now, there was nothing in either the ultimatum or the additional guarantees which authorized exceptional treatment to be applied to this extensive region. The frontier of Siam acknowledged by France was the right bank of the Mekong, and though it was true her military

cantonments were relegated to a certain distance from the river, it did not follow that Siam's sovereign rights on the one side of this military line differed in the slightest degree from her rights on the other. M. Le Myre de Vilers' repeated allusions to the "reserved districts," and to the separate régime he seemed anxious to impose upon them, had the appearance of an endeavour to push the political frontier of Siam a considerable distance inland from the river bank and outside of the Provinces of Battambang and Angkor, and to place the intermediate territory, including the above-mentioned provinces, under a special system indirectly guaranteed by France. Such an arrangement, I observed, was quite incompatible with the maintenance of Siam's integrity and independence, even according to the French definition of those terms, in regard to the preservation of which his Excellency had already given us so many assurances.

I then touched upon several other points in the list of M. Le Myre de Vilers' proposals, but to these I need not more particularly refer, the important part of our conversation consisting in M. Develle's reply, which I now proceed to record.

M. Develle, who had listened to me, as he always does, with the greatest patience and courtesy, said as soon as I had finished :—

"What Her Majesty's Government desires, as I understand, is the speedy termination of the negotiations now being conducted at Bangkok, and of those which we have in hand in Paris in reference to the constitution of a buffer territory. Well, the French Government is equally anxious to arrive at the same result in both directions. Nor are we in any degree responsible for the delays which have occurred. They arise from the inconceivable hesitation of the Siamese Government to fulfil their engagements and to carry out the arrangements set forth in the ultimatum and in the paper of supplementary guarantees. Up to the present moment all that they have done has been to pay up the 3,000,000 fr. The evacuation of the territory upon the left or French side of the Mekong has not so much as commenced. Even the Island of Khone remains in the occupation of Siamese troops, and the Mandarin in command denies that he has received any orders to move. The negotiations at Bangkok are at a standstill on account of the continued illness of the Siamese Prime Minister" (about the genuineness of which M. Develle seemed to have some doubts). "As to the occupation of Chantaboon by the French forces, you can assure Lord Rosebery that we are most desirous of leaving the place at the earliest opportunity. Our soldiers will not remain a day after the Siamese have fulfilled their engagements. With regard to the document submitted by M. Le Myre de Vilers to the Siamese Government, what it contained were not demands, but proposals to be discussed, to be accepted, modified, according to the views and interests of the contracting parties."

As to the expression the "reserved districts," it was, M. Develle admitted, an ill-chosen phrase, and would be changed. He could assure me, however, that there was no *arrière-pensée* in the mind of the French Government to arrive at a settlement outside of what had already been defined in the ultimatum and its supplement. He desired no better than to adhere to every assurance he had given me. He was actuated by the most loyal and straightforward intentions, and any misgivings in regard to his attitude, if such were entertained, were entirely unfounded. Of course, if the Siamese persistently and obstinately refused to evacuate the left bank of the Mekong, France would have to resort to force to compel them to do so, but, provided they honestly fulfilled their part of the bargain, he would as honestly carry out his. The negotiations at Bangkok ought not to take more than a week, or at most a fortnight, and immediately they were concluded he would be at my disposal to delimitate the buffer territory.

No. 329.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office. September 15, 1893, 4.45 P.M.

HER Majesty's Ambassador at Paris is informed by M. Develle that no steps have been taken by the Siamese Government towards the fulfilment of the terms of the French ultimatum and supplementary guarantees beyond the payment of the money indemnity; that they have not even commenced the evacuation of the territory on the left side of the Mekong, and that the Siamese officer who is stationed on the Island of Khone asserts that he has received no orders for the withdrawal of his troops.

I should be glad to hear from you the exact position of matters in these respects.

It is of the greatest importance that Siam should use her best efforts to carry out the engagements she has entered into with France with scrupulous punctuality.

No. 330.

Captain Jones to the Earl of Rosebery.—(Received September 18.)

My Lord,

Bangkok, August 9, 1893.

I CAN, with satisfaction, report to your Lordship that public order and tranquillity remained undisturbed throughout the irritating and threatening appearance of the general situation here during the last two months, and notwithstanding the readiness with which the trading community—European and native—lent itself to the propagation of the wildest rumours and alarms.

It seemed to me, all along, that the circumstances of the situation failed to justify such frequent panics, as the Siamese—unlike the Chinese—entertain no malevolent race hatred against Europeans, with all classes of whom they have lived harmoniously in times past. Even among the crowd of Chinese settled here, a large proportion are equally interested with the Europeans in the maintenance of order and protection of private property, and would have energetically interfered in the cause of both.

The chief object of the rioters would certainly have been pillage at the least possible risk to themselves, and under such conditions the houses and shops of the Indian traders, scattered throughout the city, ran far greater risk of being plundered and burnt than the magazines of the European merchants, which lie all on the banks of the river, and for the most part under the guns of the ships of war anchored there.

But even the chance of such disorder and violence depended on either the King carrying out his expressed intention of quitting his capital for the interior along with his troops, his Court, and the administrative officials, which would, of course, have left the city to anarchy and the violence of the mob, or that a blockade should last long enough to compel employers to close their mills and dismiss their working hands, when, under the influence of enforced idleness and hunger, many cases of rapine and violence would no doubt have occurred. Happily all precautions had been taken by the local authorities in view of possible riot and disorder.

The Commanders of the foreign ships of war here had also made their plans in view of contingent outbreaks, but it was never found necessary to land a sailor or marine for the protection of the foreign community during the whole course of this momentous period.

I have, &c.

(Signed) HENRY M. JONES.

No. 331.

Captain Jones to the Earl of Rosebery.—(Received September 18.)

My Lord,

Bangkok, August 15, 1893.

I HAVE the honour to transmit herewith copies of all the official Notifications issued by French naval officers in the Gulf of Siam respecting the recent blockade of this port.

These comprise—

1. First Notice of blockade issued by M. Reculoux, Commander of the "Forfait," on the 26th July.
2. Amended Notice of blockade issued by Admiral Humann on the 29th July.
3. Notice respecting admission of European mails by Admiral Humann on the 1st August.
4. Notice of raising of blockade by Admiral Humann on the 3rd instant.

I have, &c.

(Signed) HENRY M. JONES.

Inclosure 1 in No. 331.

First Declaration of Blockade, dated July 26, 1893.

NOUS, Soussigné, Capitaine-de-Vaisseau Commandant Supérieur des bâtiments actuellement dans le Golfe de Siam, agissant suivant les ordres du Contre-Amiral Commandant-en-chef la Division Navale de l'Extrême-Orient, et en vertu des pouvoirs qui lui appartiennent, déclarons qu'à partir du 26 Juillet, 1893, à 9 heures du soir, tous les ports et rades de la côte, et des îles Siamaises compris entre la Pointe Chulaï et la Pointe Lem Krabang, en passant par le nord (ces pointes, le premier par 13° 3' de latitude nord et 97° 43' de longitude est du méridien de Paris; le second par 13° 5' de latitude nord et 98° 31' de longitude est du méridien de Paris); seront tenus en état de blocus effectif par les forces navales sous nos ordres, et que les bâtiments amis auront un délai de trois jours pour quitter les lieux bloqués.

Il sera procédé, contre tout bâtiment qui tenterait de violer le dit blocus, conformément aux lois internationales et aux Traités en vigueur.

A bord du croiseur le "Forfait," mouillage de la barre de Bangkok, le 26 Juillet, 1893.

(Signé) A. RECULOUX.

Inclosure 2 in No. 331.

Second Declaration of Blockade by Rear-Admiral Humann, dated July 29, 1893.

NOUS, Soussigné, Contre-Amiral Humann, Commandant-en-chef les forces navales Françaises en Extrême-Orient,

Vu l'état de représailles existant entre la France et le Siam, agissant en vertu des pouvoirs qui nous appartiennent,

Déclarons :

Qu'à partir du 29 Juillet, 1893, la côte et les ports de Siam compris—

1. Entre la Pointe Chulaï, latitude 13° 2' nord, longitude 97° 43' est, à la Pointe Lem-kra-bang, latitude 13° 5' nord, longitude 98° 31' est;
2. Entre la pointe sud de Ile Ko-Samit, latitude 12° 31' nord, longitude 99° 6' est, et la Pointe Lem-Ling, latitude 12° 11' nord, longitude 93° 58' est;

seront tenus en état de blocus effectif par les forces navales placées sous notre commandement et que les bâtiments amis ou neutres auront un délai de trois jours pour achever leur chargement et quitter les lieux bloqués.

Les limites du blocus s'étendront :—

1. Pour la première zone bloquée jusqu'à une ligne joignant la Pointe Chulaï (ci-dessus désignée) à la Pointe Lem-kra-bang (ci-dessus désignée).
2. Pour la deuxième zone bloquée jusqu'à une ligne joignant la pointe de l'Ile Ko-Samit (ci-dessus désignée) à la Pointe Lem Ling (ci-dessus désignée).

Il sera procédé contre tout bâtiment qui tenterait de violer le dit blocus conformément aux lois internationales et aux Traités en vigueur avec les Puissances neutres.

A bord de "La Triomphante," cuirassé de croisière Français à Ko-si-Chang, le 29 Juillet, 1893.

(Signé) HUMANN.

Inclosure 3 in No. 331.

Notification as to Entry of Mails during Blockade, dated August 1, 1893.

Le Contre-Amiral Humann, Commandant-en-chef la division navale de l'Extrême-Orient, à M. le Chevalier Keun de Sloogerwoerd, Consul-Général de Hollande, Chargé des intérêts Français à Bangkok.

M. le Chevalier,

EN vue de concilier dans la mesure du possible les exigences de la situation actuelle avec mon vif désir d'être agréable au Corps Diplomatique et Consulaire,

et aussi de ne pas interrompre complètement les relations du commerce Européen de Bangkok avec l'extérieur, j'ai prescrit aux croiseurs qui surveillent la ligne de blocus d'autoriser les vapeurs qui portent les malles d'Europe à pénétrer jusqu'au mouillage de Koh-si-Chang, où ils devront remettre leurs correspondances à M. le Ministre de France, qui veut bien se charger de vous les faire parvenir par la plus prompte occasion.

Je vous serais obligé, M. le Chevalier, de vouloir bien porter cette décision à la connaissance de vos collègues, et d'agréer, &c.

(Signé) HUMANN.

*Cuirassé "La Triomphante," à Koh-si-Chang,
le 1^{er} Août, 1893.*

(Translation.)

Rear-Admiral Humann, Commander-in-chief of the naval division in the far East, to the Chevalier Keun de Slogerwoerd, Consul-General of Holland, in charge of French interests at Bangkok.

M. le Chevalier,

WITH a view to reconcile as far as possible the exigencies of the present situation with my strong desire to be agreeable to the Consular and Diplomatic Corps, and also not to interrupt entirely the relations of European commerce at Bangkok with the outside world, I have ordered the cruizers which are guarding the line of blockade to allow mail-steamers from Europe to approach as near as the anchorage of Koh-si-Chang, where they will have to hand over their mails to the French Minister, who is willing to undertake to have them transmitted to you by the quickest means.

I should be grateful, M. le Chevalier, if you would be so good as to bring this decision to the knowledge of your colleagues, and accept, &c.

(Signed) HUMANN.

*"La Triomphante," at Koh-si-Chang,
August 1, 1893.*

Inclosure 4 in No. 331.

Notification of raising of Blockade, dated August 3, 1893.

NOUS, Soussigné, Contre-Amiral Humann, Commandant-en-chef les forces navales Françaises dans le Golfe de Siam, agissant en vertu des pouvoirs qui nous appartiennent,

Déclarons :

Que le blocus de la côte et des ports de Siam compris :—

1. Entre la Pointe Chulaï, latitude 13° 2' nord, longitude 97° 43' est, et la Pointe Lem-kra-bang, latitude 13° 5' nord, longitude 98° 31' est ;
2. Entre la pointe sud de l'Ile Ko-Samit, latitude 12° 31' nord, longitude 99° 6' est, et la Pointe Lem-Ling, latitude 12° 11' nord, longitude 99° 58' est ;

est levé à partir du 3 Août, 1893, à midi.

A bord de "La Triomphante," cuirassé de croisière Français, à Ko-si-Chang, le 3 Août, 1893.

(Signé) C. A. HUMANN.

(Translation).

WE, the Undersigned, Rear-Admiral Humann, Commander-in-chief of the French naval forces in the Gulf of Siam, acting in accordance with the powers exercised by us,

Declare :

That the blockade of the coast and ports of Siam comprised :—

1. Between Chulaï Point, latitude 13° 2' north, longitude 97° 43' east, and Point Lem-kra-bang, latitude 13° 5' north, longitude 98° 31' east ;

2. Between the southern point of the Island of Ko-Samit, latitude $12^{\circ} 31'$ north longitude $99^{\circ} 6'$ east, and Point Lem-Ling, latitude $12^{\circ} 11'$ north, longitude $99^{\circ} 51'$ east; is raised from midday on the 3rd August, 1893.

On board "La Triomphante," French armoured cruiser, at Koh-si-Chang, August 3, 1893.

(Signed) C. A. HUMANN.

No. 332.

Blackburn and District Incorporated Chamber of Commerce to the Earl of Rosebery.—
(Received September 21.)

My Lord, 6, Richmond Terrace, Blackburn, September 20, 1893.

I AM directed by the Chamber to inclose copy of Resolution unanimously passed by them at their meeting held Monday, 18th September:—

"That the Blackburn and District Chamber of Commerce views with alarm and dismay the action of France, whereby one-third of our market in Siam has been closed to the trade of this country and of our Colonies and possessions by French aggression; and whereby the remainder of our market in that country, and our prospective trade with the 100 million inhabitants of South-west China, is now imperilled. This Chamber fervently hopes that Her Majesty's Government will resolutely resist further French encroachment upon our markets in the Far East; and that, in making arrangements for the neutral zone between the British Shan States and Tonquin, they will take such action as will definitely secure within our sphere of influence the railway routes from the Burmese seaboard to the Chinese frontier-post of Ssumao.

"This Chamber considers that unless these railway routes to Ssumao are kept free for British trade to enter South-west China, our trade with that important market will be restricted to the Chinese Shan States in the alpine and sparsely populated regions in the basins of the Irrawaddy and Salween Rivers."

I have, &c.

(Signed) JOSEPH WATSON, *Secretary.*

No. 333.

Admiralty to Foreign Office.—(Received September 25.)

Sir,

Admiralty, September 22, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State, copy of a letter from the Senior Naval Officer in the Straits of Malacca, dated the 12th August, reporting further upon Franco-Siamese affairs.

I am, &c.

(Signed) R. D. AWDRY.

Inclosure in No. 333.

Captain MacLeod to Vice-Admiral Sir E. Fremantle.

(Extract.)

"Pallas," off the Menam River, August 12, 1893.

I HAVE the honour to report that on the evening of the 3rd instant I received a letter from Rear-Admiral Humann (by the French gun-boat "Lion") informing me that the blockade had been raised at noon that day.

On the 4th I returned to the bar anchorage in the "Pallas," accompanied by the "Pigmy."

The Siamese having unconditionally submitted to the terms of a revised ultimatum, frequent interchange of despatches took place during the next few days between the Foreign Minister in Bangkok and the French ex-Minister Resident, M. Pavie, at Koh-si-Chang, resulting in the return of the latter to the French Legation on the 8th instant.

The French paddle gun-boat "Alouette" conveyed him up the river, and, although not in the terms of the ultimatum, the fort saluted the French flag with twenty-one guns, followed by a salute of eleven guns to the returning Minister himself, who later on landed at the Legation from the "Alouette" under a similar mark of respect.

On the 8th I went up to the Legation at Bangkok to learn the latest details of the state of affairs and make final arrangements for our ships quitting the neighbourhood upon the dispersal of the French squadron, returning to the "Pallas" yesterday.

In the meantime, Rear-Admiral Humann and all his ships, except the "Lutin" and "Alouette," left Koh-si-Chang and Chantaboon for Koh Samit or Saigon; the "Lutin" remaining to support certain Annamese troops allowed (by agreement) in the Chantaboon forts, and the "Alouette" at Bangkok to attend upon M. Pavie.

This morning the "Pigmy" left for Hong Kong, and the "Alouette" has just come out and anchored.

No. 334.

Foreign Office to Blackburn and District Incorporated Chamber of Commerce.

Sir,

Foreign Office, September 27, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 20th instant, inclosing a Resolution passed by the Blackburn Chamber of Commerce calling the attention of Her Majesty's Government to the extent to which British commercial interests are involved in the questions now pending between France and Siam.

His Lordship desires me to say, in reply, that this matter is engaging the careful consideration of Her Majesty's Government, but that he is not aware, as stated in the Resolution, that one-third of the market in Siam has been closed to British commerce.

I am, &c.

(Signed) P. CURRIE.

No. 335.

Captain Jones to the Earl of Rosebery.—(Received September 28.)*

(Telegraphic.)

Bangkok, September 25, 1893.

I HAVE received your Lordship's telegram of the 15th instant by post from Saigon. All the conditions of the ultimatum have been complied with on the part of the Siamese. The left bank of the Mekong has practically been completely evacuated, and the statements of M. de Lanessan to the contrary have proved without foundation. In spite of all endeavours, heavy rains have delayed the withdrawal of a few distant posts. Articles 3 and 4 are the only clauses which are unsettled. The Siamese are willing to execute them in accordance with international law and custom, and have vainly asked the views of M. de Vilers on the question. Additional French troops have recently been sent to Chantaboon.

No. 336.

Captain Jones to the Earl of Rosebery.—(Received September 29.)

(Telegraphic.)

Bangkok, September 28, 1893.

THE French Minister has now submitted a fresh draft Treaty, to the following effect:—

Article I. The Siamese Government are to renounce all their claims to the left bank of the Mekong and to the islands in the river.

Article II. The Siamese Government agree not to maintain any armed vessels on the Toulé Sap, or the River Mekong, or upon their tributary streams situated in the reserved territories.

Article III. No fortified post or military establishment shall be constructed in the

* Sent by post to Singapore.

Provinces of Battambang and Siamrep, or within 25 kilom. of the right bank of the Mekong.

Article IV. The police of the reserved zone shall be administered as usual by the local authorities with a force not exceeding what is strictly necessary. No military force, regular or irregular, shall be maintained there.

Article V. No custom-houses shall be established there, nor shall any tax be levied on imports or exports in the reserved zone; and reciprocally the produce of these districts shall pay no taxes in Cochin China or in Cambodia.

Article VI. The Siamese Government, at the request of the French Government, shall give all the necessary facilities for establishing on the banks of the Mekong workshops and depôts of fuel which the development of the navigation may render necessary.

Article VII. French citizens, subjects and protected subjects may travel freely and trade in the reserved territory, furnished with passports from the French authorities which will be reciprocally granted to the inhabitants of the said zone.

Article VIII. The French Government may establish Agencies within the said zone, wherever these may be found expedient in the interests of French subjects. The Siamese Government shall grant gratuitously the land required for their installation.

Article IX. The French Government reserve the right to establish Consulates at Nan and Korat.

Article X. Every one who is registered in the French Consulate-General shall be under French jurisdiction.

Article XI. The French text of the present Treaty shall alone be valid.

Article XII. The Treaty shall be ratified within four months from the date of signature.

No. 337.

Captain Jones to the Earl of Rosebery.—(Received September 29.)

(Telegraphic.)

Bangkok, September 29, 1893.

THE Siamese Government raise the following objections to the terms of the draft Treaty, as given in my telegram of yesterday:—

Article I differs materially from the corresponding Article of the French ultimatum.

Article III. The same regulations should be observed on the left bank of the Mekong by the French authorities.

Article V. Only the products of the reserved zone are to be granted reciprocity, and Annam is altogether excluded from the sphere in which the concession is made.

Article VI. This demand is considered to be too extensive.

Article VII. Only the inhabitants of the reserved zone are to enjoy reciprocity.

Article VIII is regarded as inadmissible.

No. 338.

Captain Jones to the Earl of Rosebery.—(Received September 30.)

(Telegraphic.)

Bangkok, September 30, 1893.

MY telegrams of 28th and 29th instant.

M. Le Myre de Vilers has still further modified his proposals, and has withdrawn those to which the Siamese chiefly objected. This third form of Treaty will very probably be accepted. But he has now submitted the draft of a Convention, of which the following is the substance, and which is based upon the terms of the original French ultimatum:—

1. All the Siamese military posts must be evacuated within one month from the 5th September at the latest.

2. All fortifications in the reserved zone must be demolished at once.

3. The authors of the crimes at Tong Chieng Kham and at Kammuon will be judged by the Siamese authorities in the presence of a French Representative. The latter will watch over the execution of the sentences passed. The French Government reserves to itself the right of judging whether the punishments awarded are sufficient. If these are not deemed sufficient, they may demand a fresh trial before a Mixed Tribunal, the composition of which they will themselves determine.

4. The Siamese Government will deliver to the French Minister at Bangkok or to the French authorities on the frontier all French subjects, Annamites, Cambodians, or Laotians of the left bank of the Mekong who are detained under any pretext. They will throw no obstacle in the way of the return to the left bank of former inhabitants.

5. The Bangbien of Tong Chieng Kham and his suite will be taken by a delegate of the Siamese Minister for Foreign Affairs to the French Legation, with the arms and the French flag which were seized by the Siamese authorities.

6. The French Government will continue to occupy Chantaboon until the execution of the stipulations of the present Convention, and particularly until the complete evacuation and pacification of the left bank of the Mekong and the islands and the reserved zone.

The provisions of the foregoing Convention are so much in excess of the terms of the ultimatum that the Siamese Government find it impossible to accept them. The French Envoy, however, announces that he will leave Bangkok immediately, whether the Convention is signed or not.

No. 339.

Singapore Chamber of Commerce to the Earl of Rosebery.—(Received October 2.)

My Lord, *Singapore, September 5, 1893.*

I HAVE the honour to inclose copy of a telegram dispatched to your Lordship on the 1st instant.

It was not until after due deliberation that the Chamber adopted the somewhat unusual course of telegraphing to your Lordship, but the subject is of such grave importance to the commercial interests of the Colony that we felt justified in drawing your Lordship's direct attention to the serious danger by which they are now threatened.

It is unnecessary to remind your Lordship of the important and intimate tradal connections between these Settlements and Siam, as these are fully set out in the Consular Reports which are periodically received at the Foreign Office.

If, as is apprehended from the information which now reaches us, the two Provinces of Battambang and Siemreap are wrested from Siam, a serious blow will be dealt at our trade, and heavy duties, as your Lordship is aware from the instance at Saigon, would probably be immediately imposed upon British manufactures.

In any case it is to be feared the growth of French influence at Bangkok may greatly prejudice and jeopardize our commerce, as well as other British interests in Siam.

Under these circumstances the Chamber has appealed to your Lordship to take immediate steps in the course of present negotiations, with the view of securing, as far as possible, our valuable mercantile relations with that country from the interference and restriction which appear to form a not inconsiderable part of the aims of present French aggression.

I have, &c.

(Signed) T. SHELFORD, *Chairman.*

Inclosure in No. 339.

Singapore Chamber of Commerce to the Earl of Rosebery.

(Telegraphic.) *Singapore, September 1, 1893.*

CHAMBER views French claims as intended coerce Siam into French protection. If France succeeds therein, or acquiring further territory, British trade with Siam will be strangled by heavy duties. Consider present position gravely endangers British commerce. Protests against French aggression, which Chamber believes aimed against British trade. Respectfully urges your Lordship's immediate strong intervention. Delay most dangerous.

No. 340.

Admiralty to Foreign Office.—(Received October 2.)

Sir,

Admiralty, September 29, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State, copy of a letter from the Captain of Her Majesty's ship "Pallas," dated the 8th ultimo, and of its inclosures, respecting the raising of the blockade of the coasts and ports of Siam by the French.

I am, &c.

(Signed) EVAN MACGREGOR.

Inclosure in No. 340.

Captain MacLeod to Vice-Admiral Sir E. Fremantle.

Sir,

"Pallas," off the mouth of the Menam River,
August 8, 1893.

I HAVE the honour to inform you that on the 3rd instant I received a communication from Rear-Admiral Humann, Commander-in-chief of the French Far East Squadron, announcing that the blockade of certain portions of the Siamese coasts was raised at noon on that date. Copy attached.

I have, &c.

(Signed) ANGUS MACLEOD.

[For inclosure, see Inclosure 4 in No. 331.]

No. 341.

Captain Jones to the Earl of Rosebery.—(Received October 2.)

(Telegraphic.)

Bangkok, October 1, 1893.

MY telegram of 30th September.

The Plenipotentiaries signed both the Treaty and the new Convention this morning. A *procès-verbal* has been attached to the latter, which to some extent explain its provisions, and which, as the Siamese Government believe, modifies considerably the clauses to which they principally object.

No. 342.

The Marquis of Dufferin to the Earl of Rosebery.—(Received October 3.)

My Lord,

Paris, October 2, 1893.

I HAVE the honour to transmit herewith to your Lordship the text, as published in the 6 o'clock edition of the "Temps" of this evening, of the Franco-Siamese Treaty and Convention signed at Bangkok on the 1st instant.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 342.

*Extract from the "Temps" of October 3, 1893.**Traité.*

ARTICLE I. Le Gouvernement Siamois renonce à toute prétention sur l'ensemble des territoires de la rive gauche du Mékong et sur les îles du fleuve.

Article II. Le Gouvernement Siamois s'interdit d'entretenir ou de faire circuler

des embarcations ou bâtiments armés sur les eaux du Grand Lac, du Mékong et de leurs affluents situés dans les territoires visés à l'Article suivant.

Article III. Le Gouvernement Siamois ne construira aucun poste fortifié ou établissement militaire dans les provinces de Battambang et de Sien-Reap et dans un rayon de 25 kilom. sur la rive droite du Mékong.

Article IV. Dans les zones visées par l'Article III, la police sera exercée, selon l'usage, par les autorités locales avec les contingents strictement nécessaires. Il n'y sera entretenu aucune force armée régulière ou irrégulière.

Article V. Le Gouvernement Siamois s'engage à ouvrir dans le délai de six mois des négociations avec le Gouvernement Français en vue du règlement du régime douanier et commercial des territoires visés à l'Article III et de la revision du Traité de 1856. Jusqu'à la conclusion de cet accord il ne sera pas établi de droits de Douane dans la zone visée à l'Article III. La réciprocité continuera à être accordée par le Gouvernement Français aux produits de ladite zone.

Article VI. Le développement de la navigation du Mékong pouvant rendre nécessaires sur la rive droite certains travaux ou l'établissement de relais de batellerie et de dépôts de bois et de charbon, le Gouvernement Siamois s'engage à donner, sur la demande du Gouvernement Français, toutes les facilités nécessaires à cet effet.

Article VII. Les citoyens, sujets ou ressortissants Français pourront librement circuler, commercer dans les territoires visés à l'Article III, munis d'une passe délivrée par les autorités Françaises. La réciprocité sera accordée aux habitants desdites zones.

Article VIII. Le Gouvernement Français se réserve d'établir des Consuls où il le jugera convenable, dans l'intérêt de ses citoyens, sujets ou ressortissants, et notamment à Korat et à Muang-Nam. Le Gouvernement Siamois concédera les terrains nécessaires pour l'installation desdits Consuls.

Article IX. En cas de difficultés, le texte Français fera seul foi.

Article X. Le présent Traité devra être ratifié dans un délai de quatre mois à partir du jour de la signature.

Convention.

Les postes militaires Siamois établis sur la rive gauche du Mékong et dans les îles du fleuve devront être évacués dans le délai d'un mois à dater de la signature de la présente Convention. Ceux situés dans les Provinces d'Angkor et de Battambang et sur la rive droite du fleuve dans un rayon de 25 kilom. devront être évacués à la même époque et les fortifications rasées.

Les auteurs des attentats de Tong Xieng-Khan et de Kammon seront jugés par les autorités Siamois. Un Représentant de la France assistera au jugement et veillera à l'exécution des peines prononcées. Le Gouvernement Français se réserve le droit d'apprécier si les condamnations sont suffisantes, et le cas échéant, de réclamer un jugement devant un Tribunal Mixte dont il fixera la composition.

Le Gouvernement Siamois devra remettre à la disposition du Ministre de France à Bangkok ou des autorités Françaises de la frontière tous les sujets Français, Annamites, Cambodgiens, Laotiens de la rive gauche détenus à titre quelconque ; il ne mettra aucun obstacle au retour sur la rive gauche des anciens habitants de cette région.

Le Bang-Bien de Tong-Xieng-Khan et sa suite seront amenés par un délégué du Ministre des Affaires Étrangères à la Légation de France, ainsi que les armes et le pavillon Français saisis par les autorités Siamois.

Le Gouvernement Français continuera à occuper Chantaboun jusqu'à l'exécution des stipulations de la présente Convention et notamment jusqu'à la complète et pacifique évacuation des postes Siamois établis tant sur la rive gauche du Mékong et dans les îles du fleuve que dans les Provinces de Battambang et de Sien-Reap et dans un rayon de 25 kilom. sur la rive droite du Mékong.

No. 343.

Captain Jones to the Earl of Rosebery.—(Received October 3.)

(Telegraphic.)

Bangkok, October 2, 1893.

THE following is the substance of the *procès-verbal* which explains the terms of the new Convention :—

With regard to Article I, the Siamese Plenipotentiary fears that the furthest outposts cannot be evacuated by the 5th of this month. The French Plenipotentiary replies

that, as the obstacles are insurmountable, the Siamese Government have only to ask for an extension of the time, stating the names of the places, and the date by which the posts can be withdrawn, the necessary authority will at once be granted in cases where good cause is shown for an extension.

The Siamese Plenipotentiary inquires whether Article II necessitates the destruction of old city walls and fortifications which are now obsolete and useless. The French Plenipotentiary replies that the Article only refers to military works which are capable of defence.

With regard to Article III, the Siamese Plenipotentiary asks where the Court of Appeal will sit. The answer is that it will be at Bangkok. The expression "Mixed" is defined as meaning "Franco-Siamese." The Siamese Plenipotentiary remarks that, by this arrangement, the Siamese will be withdrawn from their natural Judges. The French Plenipotentiary's answer is that foreign jurisdiction is already recognized in Siam, and that Mixed Courts already exist; the arrangement would therefore be no innovation.

The Siamese Plenipotentiary states that the Bangbien has already returned to French territory. Under these circumstances it is impossible for the Siamese to conduct him to the French Legation. The French Plenipotentiary replies that, of course, if the man has already crossed the frontier, the clause is withdrawn, and it will only be necessary to name in a special note the place where he left Siamese territory, in order that his presence may be ascertained. This principle applies also to the other persons who are referred to in Article V.

In reply to the request of the Siamese Plenipotentiary for an explanation of the term "pacification" in Article VI, the French Plenipotentiary states that this reservation is made by his Government in order to provide against the possibility of trouble or rebellion being encouraged by the Siamese. The Siamese Plenipotentiary fears that by this means a pretext will always be found for pretending that pacification has not been effected, and that the Siamese are stirring up trouble. The French Plenipotentiary says that the Treaty and the Convention are made in good faith, and that the work of the Plenipotentiaries must be governed by this principle, otherwise negotiation is useless.

The Siamese Plenipotentiary then asks whether he can count upon the evacuation of Chantaboon as soon as the withdrawal of the Siamese troops has been completed. The French Plenipotentiary returns a negative answer, adding that it is necessary that the French Government should first feel assured that the conditions of the ultimatum will be scrupulously observed by Siam. The Siamese Plenipotentiary wishes to be informed by what means the French Plenipotentiary can guarantee the sincerity of his Government in bringing about the evacuation of Chantaboon. The latter replies that his Government have no intention of retaining possession of that place, that it is their interest to hasten the evacuation on account of the heavy expenditure which it involves, and that, in any case, this must always be a question of good faith.

No. 344.

Manchester Chamber of Commerce to the Earl of Rosebery.—(Received October 3.)

My Lord,

Manchester, October 2, 1893.

I AM requested by the President of this Chamber to forward to you the inclosed extract from a letter, dated the 4th September and received to-day, referring to the claims of France upon Siam.

The President is aware of the telegrams published in this morning's newspapers reporting a settlement of these claims, but he is of opinion that it may be of service to submit the extract in question for your Lordship's consideration.

I have, &c.

(Signed) ELIJAH HELM, *Secretary.*

Inclosure in No. 344.

Extract from a Letter, dated September 4, 1893, addressed by the Singapore Chamber of Commerce to the Manchester Chamber of Commerce.

THERE is much reason to fear that the French claims now extend to retaining permanent possession of the two Provinces of Battambang and Siemreap, contrary to explicit stipulation that the farming of their taxes only should be assigned to France in default of deposit of the 3,000,000 fr. (since paid), and the occupation of the port and river of Chantaboon pending evacuation of the left bank of the Mekong. These two provinces embrace very fertile, productive, and populous districts of Siam; they have a large trade, via Bangkok, with this Settlement; enterprises supported by British capital and under British control are within their borders, and their absorption under French administration would deal a heavy blow to our commercial relations with Siam.

The imposition of heavy duties on British manufactures at Saigon has greatly decreased the volume of our imports to Cochin China, which was previously one of our principal consuming centres. The French have definitely refused to extend to this Colony the provisions of the "Minimum Tariff," and there can be no doubt that a similar policy would be adopted in any portion of Siam which may be brought within their administration or direction.

The Chamber is apprehensive that France contemplates eventually establishing a Protectorate over the whole of Southern Siam, and even if this is not attained, the present course of events would seem to indicate a preponderance of French influence at Bangkok, to the certain jeopardy and prejudice of British interests and trade.

With respect to the proportions of this trade, as compared with that of France, I would ask your reference to the Consular Report for last year. Therein it appears that 87 per cent. of the tonnage entering and clearing from Bangkok was British, as against 1 per cent. of French, and that the year's trade with France did not exceed 7,946l., being '03 per cent. of the whole trade, "by far the greater portion of which goes to Singapore and Hong Kong."

The fear is strongly entertained that if Her Majesty's Government does not promptly interfere in the interests of British commerce, we may, at an early day, be suddenly apprised of the fact that France has coerced Siam into ceding all her demands, and when once accomplished, British intervention would be too late.

No. 345.

The Marquis of Dufferin to the Earl of Rosebery.—(Received October 3.)

(Telegraphic.)

Paris, October 3, 1893.

M. DEVELLE informs me that he is ready to commence negotiations with regard to the "buffer" State.

No. 346.

The Marquis of Dufferin to the Earl of Rosebery.—(Received October 7.)

My Lord,

Paris, October 3, 1893.

I CALLED upon M. Develle this morning. His Excellency began at once remarking with regret upon the unfavourable view taken by the English newspapers of the Siamese Treaty, and the Convention appended to it. I told him that I had received no instructions to communicate any opinion from your Lordship, and that there was no necessity that I should trouble him with observations of my own on the subject. The only circumstance which perhaps called for remark was the continued occupation of Chantaboon. His Excellency had been good enough to assure me that the French Government earnestly desired to withdraw their troops from that place; but the Convention seemed to imply a more prolonged stay.

M. Develle said that I need be under no apprehension on that head. Chantaboon was a most inconvenient station for troops, and the French Government desired no better than to evacuate the place. It was true the small garrison had been slightly increased of late; but that was at the instance of the military authorities, who stated that this precaution was necessary in the presence of the large number of Siamese troops in the

neighbourhood. He could not, of course, ignore these representations. Under the Convention the Siamese troops were to remove to the stipulated distance to the west of the Mekong within a month. Within a month, therefore, Chantaboon would be evacuated.

I then informed him that my main purpose in waiting upon him was to ascertain if he was ready to take up the thread of the negotiations in regard to the "buffer" State, which had been suspended at the beginning of August. He said that he was; and then he proceeded to suggest that the details of the business should be left to a couple of gentlemen whom he would nominate, and to two Secretaries of this Embassy. He himself, he said, was extremely busy, and it would be a convenience to him if this arrangement could be adopted. I observed that such elaborate machinery seemed quite unnecessary, for the whole matter might be concluded in half-an-hour's conversation between himself and me. To this, however, M. Develle demurred, on the ground that in arranging delimitations it was necessary to attend to very minute particulars.

I have, &c.

(Signed) DUFFERIN AND AVA.

No. 347.

Captain Jones to the Earl of Rosebery.—(Received October 9.)

(Telegraphic.)

Bangkok, October 6, 1893.

THE formal signature of the Treaty and of the Convention took place on the 3rd instant. M. Le Myre de Vilers subsequently had an audience of the King, and dined at the Palace. He left for Cochin China this morning.

No. 348.

Blackburn and District Incorporated Chamber of Commerce to the Earl of Rosebery.—
(Received October 10.)

My Lord,

6, Richmond Terrace, Blackburn, October 9, 1893.

MY Chamber desires me to acknowledge the receipt of your Lordship's letter of the 27th ultimo, and to point out that the statement of the Chamber, that "one-third of our markets in Siam have been closed to the trade of this country and of our Colonies by French aggression," appears to be borne out by the "Map of the Kingdom of Siam and its Dependencies," constructed from the Siamese Government surveys, and published by the Royal Geographical Society in its "Proceedings" to illustrate the paper read before it on the 14th November, 1887, by Mr. J. Macarthy, the Superintendent of Siamese Surveys. This map shows that at least one-third of the Siamese dominions lay to the east of the left bank of the Mekong River.

According to Article I of the Franco-Siamese Treaty signed on the 3rd October, 1893, "the Siamese Government renounces all pretensions to the whole of the territories on the left bank of the Mekong and to the islands in the river."

This being the case, if France is permitted to annex the whole of these vacated territories, our Siamese market will have been restricted by at least one-third of its previous extent.

My Chamber will be glad to learn that the concluding paragraph of your Lordship's letter infers that Her Majesty's Government has arranged, or is arranging, with France for the portion of the northern half of these vacated territories that lies in the basin of the Mekong to be formed into an independent buffer to separate the French territories in Tonquin from the British Shan States, and that such portion will be kept free from prohibition Tariffs for the entrance of British goods.

I have, &c.

(Signed)

JOSEPH WATSON, *Secretary.*

No. 349.

Foreign Office to Manchester Chamber of Commerce.

Sir,

Foreign Office, October 10, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 2nd instant, inclosing an extract from a communication addressed to your Chamber by the Singapore Chamber of Commerce respecting the claims made by France on the Siamese Government.

I am, &c.
(Signed) P. CURRIE.

No. 350.

Foreign Office to Singapore Chamber of Commerce.

Sir,

Foreign Office, October 10, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 5th ultimo, respecting the demands made by France upon the Siamese Government.

I am, &c.
(Signed) P. CURRIE.

No. 351.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, October 11, 1893.

WITH reference to your Excellency's telegram of the 3rd instant the French Chargé d'Affaires alluded to-day to the subject of Siam, and read me passages from a letter from M. Develle, which stated that negotiations for the neutral zone would be commenced at once.

I pointed out the paramount importance of concluding an affair, in itself offering no difficulties, before the meeting of Parliament and the Chambers.

I am, &c.
(Signed) ROSEBERY.

No. 352.

Captain Jones to the Earl of Rosebery.—(Received October 12.)

(Telegraphic.)

Bangkok, October 11, 1893.

I AM told that the French have now about 400 men at Chantaboon. There is no foundation for the statement that 3,000 Siamese troops have remained in the place: they were all withdrawn on the arrival of the French.

No. 353.

Foreign Office to Blackburn and District Incorporated Chamber of Commerce.

Sir,

Foreign Office, October 12, 1893.

I AM directed by the Earl of Rosebery to state, for the information of your Chamber, that the matters referred to in your letter of the 9th instant are receiving his Lordship's earnest attention.

I am, &c.
(Signed) P. CURRIE.

Colonial Office to Foreign Office.—(Received October 16.)

Sir, *Downing Street, October 14, 1893.*

I AM directed by the Secretary of State for the Colonies to transmit to you, for the consideration of the Earl of Rosebery, with reference to the letter from your Department of the 8th ultimo, a copy of the despatch from the Officer administering the Government of the Straits Settlements on the subject of the effect upon British trade of the action of the French in Siam.

I am, &c.
(Signed) R. H. MEADE.

Inclosure 1 in No. 354.

Mr. Maxwell to the Marquis of Ripon.

(Extract.)

Government House, Singapore, September 6, 1893.

I HAVE the honour to transmit to your Lordship a copy of a letter and inclosure from the Chairman of the Chamber of Commerce, Singapore, upon the subject of the menace to British commercial interests in Siam created by the action of France in that kingdom.

Inclosure 2 in No. 354.

The Singapore Chamber of Commerce to Mr. Talbot.

Sir, *Singapore, September 2, 1893.*

I BEG to inclose, for the information of the Acting Governor, copy of telegram dispatched yesterday by the Chamber of Commerce to the Secretary of State for Foreign Affairs, relative to the increasing critical position of the Franco-Siamese question.

We regard with great apprehension the further development of French claims. These there is too much reason to fear now extend to retaining permanent possession of the two provinces of Battambang and of Siemreap, contrary to the explicit stipulation that the farming of their taxes only should be assigned to the French, in default of deposit of the 3,000,000 fr. agreed upon, which have since been paid, and the occupation of the port and river of Chantaboon pending the evacuation of the left bank of the Mekong.

Such a grave departure from accepted conditions, and usurpation of territory, cannot fail to be highly detrimental to the commercial interests of this Colony.

The two provinces in question embrace very fertile, productive, and populous parts of Siam, a large trade both in imports and exports is carried on via Bangkok between them and this Settlement, enterprises supported by British capital and under British control are within their borders, and their absorption under French rule would deal a heavy blow to our commercial relations with Siam.

The imposition of heavy duties on British manufactures at Saigon has greatly decreased the volume of our imports to Cochin-China, which was previously one of our principal consuming centres. The French have definitely refused to extend to this Colony the provisions of the "Minimum Tariff," and there can be no doubt that a similar policy would be adopted in any portion of Siam which may be brought within their administration or direction.

The Committee are, moreover, apprehensive that France contemplate eventually establishing a Protectorate over the whole of Southern Siam, and, even if this be not attained, the present course of events would seem to point to the preponderance of French influence at Bangkok to the certain jeopardy and prejudice of British interest and trade.

With respect to the proportions of this trade as compared with that of France, I would ask your reference to the Consular Report for last year (published in the China "Express" of the 4th August). Therein it appears that 87 per cent. of the tonnage entering and clearing from Bangkok was British, as against 1 per cent. of French, and that the year's trade with France did not exceed 7,946 $\frac{1}{2}$ tons, being '03 per cent. of the whole trade, "by far the greater portion of which goes to Singapore and Hong Kong."

I would also beg your reference to the letter addressed to you on the 23rd June last, with its accompanying Returns.

In view of these statements now submitted to you, we trust that his Excellency will be prepared to represent to the Secretary of State for the Colonies the grave anxiety which exists throughout the community, and to urge that strong representations may be made in the proper quarter to effectually protect the interests vitally connected with this Colony, and which are being so ruthlessly threatened.

It will be obvious to you that, at the present juncture, time is of the greatest importance, and we would therefore suggest that a telegram embodying our apprehensions may be sent without delay.

The fear is strongly entertained that if Her Majesty's Government does not promptly interfere in the interests of British commerce, we may at an early day be suddenly apprised of the fact that France has coerced Siam into ceding all her demands, and when once accomplished British intervention in the interests of our trade would be too late.

I have, &c.
(Signed) T. SHELFORD, *Chairman.*

No. 355.

The Earl of Rosebery to Captain Jones.

Sir,

Foreign Office, October 21, 1893.

I TRANSMIT, for your information, a copy of a despatch which the Officer administering the Straits Settlements has addressed to Her Majesty's Secretary of State for the Colonies,* inclosing a letter from the Chairman of the Singapore Chamber of Commerce respecting the effect which the action of France in Siam is likely to have upon the trade of that Colony.

I have requested the Marquis of Ripon to cause the Chamber to be informed that the subject of their letter is engaging the earnest and vigilant attention of Her Majesty's Government.

I am, &c.
(Signed) ROSEBERY.

No. 356.

The Earl of Rosebery to Captain Jones.

Sir,

Foreign Office, October 21, 1893.

WITH reference to my preceding despatch of this day's date, inclosing a copy of a letter from the Singapore Chamber of Commerce, I am of opinion that it is desirable that a representation should be made to the Siamese Government clearly defining the commercial position which Great Britain at present occupies with regard to Siam under existing Treaties.

The Xth Article of her Treaty with Siam of the 18th May, 1855, runs as follows:—

“The British Government and its subjects will be allowed free and equal participation in any privileges that may have been, or may hereafter be, granted by the Siamese Government to the Government or subjects of any other nation.”

You should address a note to the Siamese Government reminding them of these provisions, and notifying them of our intention to claim to the fullest extent those rights of most-favoured-nation treatment in every respect which are thus secured to us by Treaty.

It might also be well that, if not inconvenient, the Government of Bangkok should communicate to us the text of any arrangements which they may have recently concluded with any other Power which may tend to enlarge in any respect, more especially in commercial or Consular matters, the privileges or facilities hitherto granted to foreign States in Siam.

I am, &c.
(Signed) ROSEBERY.

* Inclosures in No. 354.

No. 357.

Foreign Office to Colonial Office.

Sir,

Foreign Office, October 23, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 14th instant, forwarding a copy of a despatch from the Officer administering the Straits Settlements, which incloses a communication from the Singapore Chamber of Commerce respecting the effect which the action of France in Siam is likely to have upon the trade of that Colony.

His Lordship would be glad if the Marquis of Ripon would cause the Chamber of Commerce to be informed by telegraph that the subject of their letter is engaging the earnest and vigilant attention of Her Majesty's Government.

I am also to transmit, for Lord Ripon's information, and for communication to the Governor of the Straits Settlements, copy of a despatch which has been addressed to Her Majesty's Minister at Bangkok,* instructing him to remind the Siamese Government that Great Britain is entitled to most-favoured-nation treatment under the Xth Article of the Treaty of the 18th May, 1855.

I am, &c.
(Signed) T. H. SANDERSON.

No. 358.

Captain Jones to the Earl of Rosebery.—(Received October 24.)

(Telegraphic.)

Bangkok, October 24, 1893.

THE "Alouette" has been sent to Chantaboon, and the "Aspic" has returned to Bangkok from there. It is expected that the latter gun-boat will remain here for at least a month.

No. 359.

*The Earl of Rosebery to the Marquis of Dufferin.*My Lord,^c*Foreign Office, October 25, 1893.*

THE French Chargé d'Affaires spoke to me to-day in a somewhat desponding manner about the buffer State negotiations in Paris. He said that by retaining the cis-Mekong part of Kyaing Chaing, and assigning the other part to the buffer State, we should be remaining on the Mekong ourselves while keeping France away. I told him that as Kyaing Chaing was a State under our suzerainty, we were, in giving up the trans-Mekong part, making a considerable concession, and, in retaining the cis-Mekong portion, only retaining what we already possessed. Moreover, I said, we were thus acting in uniformity with M. Waddington's proposition of making the Mekong the limits of our respective spheres of influence.

On the other hand, France was giving nothing, because she had not yet arrived at the territory which she professed to be willing to cede. It was true that we had agreed in principle to give Kyaing Chaing to Siam, but when the French attacked Siam the Treaty to that effect had not even been drafted much less signed, and, even had it been signed, the province could not have been ceded to any other Power without our consent. If, therefore, the negotiations for the buffer State failed, we should retain Kyaing Chaing, and secure our position on both sides of the Mekong in that region.

M. d'Estournelles, after stating to me that he had understood (though he admitted that it had never been definitely expressed) that both parties were to withdraw from the Upper Mekong, said that after much reflection he had thought of a method by which matters might be arranged. It was that both parties should withdraw their military posts to 50 kilom. from the Mekong on both sides, making a neutral zone of at least 100 kilom., and that a Commission should then be appointed to arrange from a geographical and economic point of view the exact

limits of this proposed zone. I replied that, before considering any proposition of the kind, I should like to know what passed at the conference which was to be held at Paris to-day, for until I knew that I could not tell how the question precisely stood.

I am, &c.
(Signed) ROSEBERY.

No. 360.

Manchester Chamber of Commerce to the Earl of Rosebery.—(Received October 27.)

My Lord,

Manchester, October 26, 1893.

I AM instructed by the Board of Directors of this Chamber to forward to you the following copy of a Resolution unanimously adopted by the Board:—

“That, in the opinion of the Board, the advantages recently gained by France in Siam are extremely prejudicial to the greater interests of British commerce with that country, and that therefore, looking to the danger of further movements of an aggressive nature on the part of France, it is most important that the United Kingdom and its dependencies should be diplomatically represented with the utmost vigour and vigilance at Bangkok.”

I have, &c.
(Signed) ELIJAH HELM, *Secretary.*

No. 361.

The Earl of Rosebery to the Marquis of Dufferin.

(Extract.)

Foreign Office, October 27, 1893.

MR. AUSTIN LEE, Secretary of Legation in Her Majesty's Embassy, arrived this morning, bringing reports of the discussions which have taken place between Mr. Phipps and him on the one side, and M. Jusserand and M. Revoil on behalf of the French Government, with regard to the neutral State to be established between the British and French possessions in the neighbourhood of the Upper Mekong.

I regret to notice that those discussions have resulted in but little satisfactory progress towards a settlement.

The main question involved in the negotiation is, as is stated in the Protocol of the 31st July, 1893, the necessity of constituting a neutral zone between the possessions of Great Britain and France.

It appears to Her Majesty's Government that it is of little use to endeavour to patch together, in a somewhat narrow and grudging spirit, a small neutral State on the Upper Mekong, unless the whole object and end of the arrangement be borne in mind, and steps be taken to properly confirm and secure the integrity and independence of Siam, which have been so freely recognized by both Governments, and without which any settlement must necessarily be illusory and incomplete. Her Majesty's Government believe that it would be to the advantage of both countries to enter into a joint guarantee of the dominions of Siam as these have been left by the acceptance of the recent French ultimatum and subsequent conditions. If the French Government are prepared to enter promptly into such a guarantee, that is to say, to make a complete and not a partial arrangement, Her Majesty's Government would feel justified in dealing with the question of the northern neutral zone in a liberal spirit, so as to satisfy public opinion in France, and thus facilitate the position of the French Government. But the question should be approached in a large and statesmanlike temper, and not be allowed to degenerate into petty squabbles over a few square miles of mountainous territory sparsely inhabited by nomad tribes, where one party is certainly not in possession, and over which neither party has as yet exercised any very regular control.

Should these negotiations, however, unfortunately fail, and should the French Government be unable to accept the above proposal (which is offered in the most conciliatory spirit), the British Government would have to take such measures as they might consider necessary for their own protection. These it is not necessary

more particularly to define. But they would, at any rate, be compelled to maintain and strengthen their hold over the State of Kyaing Chaing on both sides of the Mekong, and over Kyaing Ton, which also extends for a certain distance along the left side of that river, in such manner as they might deem fitting, and, indeed, to assume a proper control of the river itself where it passes through their territories. They would also take into immediate consideration the measures necessary to preserve an independent State between the main body of the British dominions and those of France. This is a provision which they have always believed to be in accordance with the views, as it certainly is with the declarations, of the French Government, and one which they deem to be absolutely necessary for peaceful and good relations between the two countries.

Your Excellency will take the earliest opportunity of speaking to M. Develle in this sense, and, as this is a matter which appears specially to interest the French Colonial Office, it might be well to suggest that you should have a conference with the representative of that as well as of the Foreign Department.

No. 362.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, October 27, 1893.

IT may be useful in the discussions respecting the "buffer State" to be established in the neighbourhood of the Upper Mekong that your Excellency and the British Delegates should have the assistance of Mr. W. J. Archer, Her Majesty's Vice-Consul at Chiangmai, who is now at home on leave, and who has visited the districts in question, and is accurately acquainted with the actual frontiers of the various States.

I have accordingly instructed Mr. Archer to proceed at once to Paris and place himself at your Excellency's disposal.

He leaves by the night mail this evening.

I am, &c.
(Signed) ROSEBERY.

No. 363.

Foreign Office to Mr. Archer.

Sir,

Foreign Office, October 27, 1893.

AS your knowledge of the countries in the neighbourhood of the Upper Mekong will be valuable to Her Majesty's Ambassador at Paris in his negotiations with the French Government for the formation of a neutral State between the British and French possessions in that quarter, I am directed by the Earl of Rosebery to instruct you to proceed there at once, and place yourself at the disposal of Lord Dufferin.

I am, &c.
(Signed) P. CURRIE.

No. 364.

Captain Jones to the Earl of Rosebery.—(Received October 31.)

(Extract.)

Bangkok, September 28, 1893.

I HAVE the honour to forward herewith to your Lordship a copy of the Articles (revised) of a proposed new Treaty of Peace and Friendship between France and Siam.

I have not learnt yet the views of the Siamese Foreign Minister on these revised proposals, but I believe that he will not accept them without still further modifications.

Inclosure in No. 364.

*Articles (revised) of proposed new Treaty between France and Siam.**

NOUS, le Président de la République Française et Sa Majesté le Roi de Siam, voulant mettre un terme aux contestations survenues dans les derniers temps entre les deux États, et consolider les relations d'amitié qui existent depuis des siècles entre la France et Siam, ont nommé pour leurs Plénipotentiaires

Lesquels sont convenus des Articles suivants :—

ARTICLE I.

Le Gouvernement Siamois renonce à toute prétention sur l'ensemble des territoires de la rive gauche du Mékong, et sur les îles du fleuve.

ARTICLE II.

 Le Gouvernement Siamois s'interdit d'entretenir ou de faire circuler sur les eaux du Grand Lac, du Mékong, et de leurs affluents situés en territoires réservés, des embarcations ou bâtiments armés.

ARTICLE III.

Le Gouvernement Siamois ne construira aucun poste fortifié ou établissement militaire dans les Provinces de Battambang et de Siemreap, et dans un rayon de 25 $\frac{1}{2}$ kilom. sur la rive droite du Mékong.

ARTICLE IV.

Dans ces zones réservées, la police y sera exercée selon l'usage par les autorités locales avec le personnel strictement nécessaire. Il n'y sera entretenu aucune force militaire régulière ou irrégulière.

ARTICLE V.

Aucun poste de Douane sera établi, aucune taxe ne sera perçue à l'importation ou à l'exportation dans les zones réservées. Par réciprocité les produits de ces régions continueront à ne payer aucune taxe à leur entrée en Cochinchine et au Cambodge.

ARTICLE VI.

Le développement de la navigation du Mékong pouvant rendre nécessaire sur la rive droite certains travaux ou l'établissement de relais de batellerie ou de dépôts de bois ou de charbons, le Gouvernement Siamois s'engage à donner, sur la demande du Gouvernement Français, toutes les facilités nécessaires à cet effet.

ARTICLE VII.

Les citoyens, sujets, ou ressortissants Français pourront librement circuler, commercer, dans les territoires réservés munis d'une passe délivrée par les autorités Françaises. La réciprocité sera accordée aux habitants des dites zones.

ARTICLE VIII.

Dans ces mêmes zones le Gouvernement Français se réserve d'établir des Agences là où il le jugera convenables dans l'intérêt de ses ressortissants. Le

* For text as signed, see No. 375.

Gouvernement Siamois concédera gratuitement les terrains nécessaires à l'installation des dites Agences.

ARTICLE IX.

Le Gouvernement Français se réserve d'établir des Consulats à Khorat et à Muang Nan.

ARTICLE X.

Les sujets ou ressortissants Français immatriculés aux Consulats sont placés sous la juridiction Française.

ARTICLE XI.

En cas de difficulté d'interprétation, le texte Français fera seul foi.

ARTICLE XII.

Le présent Traité devra être ratifié dans un délai de quatre mois à partir du jour de la signature.

(Translation.)

WE, the President of the French Republic and His Majesty the King of Siam, wishing to put an end to the disputes which have lately arisen between the two States, and to consolidate the friendly relations which have existed for centuries between France and Siam, have named as their Plenipotentiaries

Who have agreed on the following Articles:—

ARTICLE I.

The Siamese Government renounces all claim to the whole of the territories on the left bank of the Mekong, and to the islands in the river.

ARTICLE II.

The Siamese Government binds itself not to keep or navigate ships or armed vessels on the waters of the Great Lake, the Mekong, and their affluents within the reserved territories.

ARTICLE III.

The Siamese Government shall construct no fortified post or military establishment in the Provinces of Battambang and Siemreap, nor within a radius of 25 kilom. on the right bank of the Mekong.

ARTICLE IV.

Within the reserved zones the police shall be managed according to custom by the local authorities with the staff which is strictly necessary. No military force, regular or irregular, shall be maintained there.

ARTICLE V.

No Customs post shall be established, and no tax levied on importation or exportation in the reserved zones. Reciprocally, the products of these districts shall continue to pay no tax on entering Cochin China and Cambodia.

ARTICLE VI.

As the development of the navigation of the Mekong may entail on the right bank certain works or establishments for relays of boats or for stores of wood or coal, the Siamese Government engages to grant all necessary facilities for this purpose on the request of the French Government.

ARTICLE VII.

French citizens, subjects, or those under French protection ("ressortissants") shall be free to travel and trade in the reserved territories if provided with a passport issued by the French authorities. Reciprocal rights shall be accorded to the inhabitants of the said zones.

ARTICLE VIII.

The French Government reserves to itself the right of establishing Agencies at such places as they shall consider suitable in the interests of persons under their jurisdiction. The Siamese Government shall give free of charge the land necessary for the establishment of the said Agencies.

ARTICLE IX.

The French Government reserves to itself the right of establishing Consulates at Khorat and Muang Nan.

ARTICLE X.

French subjects or persons under French protection ("ressortissants") registered at the Consulates are placed under French jurisdiction.

ARTICLE XI.

In case of difficulty of interpretation, the French text shall alone be valid.

ARTICLE XII.

The present Treaty is to be ratified within four months from the date of signature.

No. 365.

Wolverhampton Chamber of Commerce to the Earl of Rosebery.—(Received October 31.)

My Lord, *Wolverhampton, October 30, 1893.*

AT a meeting of my Council, held on the 27th instant, a copy was received and considered of a Resolution forwarded to your Lordship on the 18th ultimo from the Blackburn and District Chamber of Commerce, deprecating further French encroachment upon our markets in the Far East. I was instructed to inform your Lordship that my Council very strongly indorse the opinion expressed by the Blackburn and District Chamber.

I am, &c.

(Signed) STEPHEN WATKINS,

Secretary.

No. 366.

Foreign Office to Manchester Chamber of Commerce.

Sir,

Foreign Office, October 31, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 26th instant, forwarding copy of a Resolution passed by the Manchester Chamber of Commerce with regard to recent events in Siam.

I am, &c.

(Signed) T. H. SANDERSON.

No. 367.

The Marquis of Dufferin to the Earl of Rosebery.—(Received November 1.)

(Extract.)

Paris, October 31, 1893.

YESTERDAY I waited upon M. Develle, and during the course of a long conversation I submitted to him, in accordance with the instructions contained in your Lordship's despatch of the 27th instant, the various considerations to which my report of our negotiations in reference to Siam had given rise in your Lordship's mind; and I especially impressed upon his Excellency the obvious advantages which would accrue both to France and England if the independence and integrity of Siam were to be guaranteed by the Powers interested in the future welfare of that kingdom.

It is unnecessary for me to trouble your Lordship in detail with what I said, though I went very fully into the undesirable consequences which would inevitably ensue if we failed to come to an amicable agreement in respect to Siamese affairs, a result which I scarcely thought possible, in view of the obvious utility as well as the reasonable nature of the arrangements which we had suggested.

M. Develle listened to me during the whole time with great attention, and when I had finished he informed me that there was to be a meeting of the Council this morning; that he would acquaint the Ministers with the exact tenour of the communication I had made to him, and that he would give me the reply of the French Government in the course of the same day.

Accordingly, in obedience to an intimation that he wished to see me at 4 o'clock this afternoon, I again repaired to the French Foreign Office.

M. Develle received me with great cordiality. He told me he had fully explained your Lordship's views to his colleagues and to the Chief of the State, and that he had been authorized by them to inform me that they would not be unwilling, under certain circumstances, to give a favourable reception to your proposal. They fully recognized the friendly feelings by which England was actuated towards France in this matter, and they desired to reciprocate those feelings to the utmost.

No. 368.

The Incorporated Chamber of Commerce of Liverpool to the Earl of Rosebery.—(Received November 2.)

My Lord,

Liverpool, November 1, 1893.

THE progress of the Siamese question has been carefully watched by this Chamber on account of its trade interests in Siam, the intimate connection of the question with the affairs of Burmah, and the effect of its settlement upon the development of trade with south-west China.

On Saturday last, this Chamber was honoured by a visit from Lord Lamington, and, at the conclusion of his address, it was resolved that the President of this Chamber should urge upon Her Majesty's Government the importance of preventing any further French interference in Siam, or occupation of the country between Burmah and south-west China.

Your Lordship will have much fuller information upon this subject than this Chamber possesses, but, on behalf of this Association, I am to say that the proposal for the formation of a buffer State between the Burmah-Shan States and Tonquin is

approved by the body, and they are, moreover, of opinion that within such a State British traders should have secured to them advantages equal to those enjoyed by the traders of any other nation. If the territory of the proposed buffer State be divided between France and Britain, British interests in the matter of railway or other approaches to south-west China should be most carefully guarded.

I may say also that it is the view of the Chamber that the integrity of Siam should be maintained, as the extension of French protection over that kingdom would be followed by the adoption of a policy designed to exclude British trade, and thereby to deprive British merchants, at home and in the Colonies, of the commercial benefits they have hitherto enjoyed.

In this latter connection, viz., the apprehension felt lest British traders should be practically excluded from certain Siamese territories by reason of superior advantages being acquired for French subjects, I am to refer to those Articles of the draft Treaty between France and Siam which bind the latter Power :—

1. To open negotiations within six months for the regulation of customs and commerce within certain Siamese provinces and the semi-neutral zone.
2. To allow and to make provision for the establishment of French Consulates in the territories just referred to and in Siam, and which refer—
3. To the issue reciprocally by the two Powers of travelling passes to French and Siamese subjects.

And I am to respectfully request that your Lordship will use every effort to prevent British commercial interests being prejudiced in the event of the said draft Treaty being ratified, and the negotiations stipulated for by France being subsequently entered upon.

I have, &c.

(Signed) CHARLES McARTHUR, *President.*

No. 369.

The Earl of Rosebery to Captain Jones.

(Telegraphic.)

Foreign Office, November 4, 1893.

A QUESTION will be asked in the House of Commons respecting the islands occupied by the French in the Siamese waters.

Report at once whether the Island of Koh Samit, off Chantaboon, or any other islands, are now in possession of French, and whether their occupation is permanent or temporary.

No. 370.

Captain Jones to the Earl of Rosebery.—(Received November 6.)

(Telegraphic.)

Bangkok, November 5, 1893.

WITH reference to telegram of yesterday's date, I learn that the French occupy no islands whatever in the Gulf of Siam except Samit. This small rocky island lies off Point Samit in Cambodia, and is an unhealthy place. It should not be mistaken for Koh Samit in the territorial waters of Siam.

No. 371.

Memorial from the Associated Chambers of Commerce.—(Received November 6.)

To the Right Honourable the Earl of Rosebery, K.G., Secretary of State for Foreign Affairs.

The Memorial of the Association of Chambers of Commerce of the United Kingdom, of which the following Chambers of Commerce are members :—

Aberdeen.	Belfast.
Barnsley.	Bideford.
Barrow-in-Furness.	Birmingham.
Batley.	Birstall, near Leeds.

Blackburn.	Lincoln.
Bolton.	Llanelly.
Bradford.	London.
Bristol.	Londonderry.
Cardiff.	Luton.
Cleckheaton.	Macclesfield.
Cork (incorporated).	Middlesbrough-on-Tees.
Coventry.	Morley, near Leeds.
Dartmouth.	Newcastle-on-Tyne.
Derby.	Newport, Mon.
Dewsbury.	North Shields and Tynemouth.
Dover.	North Staffordshire.
Dublin.	Nottingham.
Dudley.	Oldham.
Dundalk.	Ossett, near Wakefield.
Dundee.	Paris (British Chamber).
Edinburgh.	Plymouth.
Exeter.	Portsmouth.
Falmouth.	Rochdale.
Gloucester.	Sheffield.
Goole.	Southampton.
Greenock.	South of Scotland.
Halifax.	Stockton and Thornaby.
Hartlepoons.	Stroud.
Heckmondwike.	Sunderland.
High Wycombe.	Swansea.
Huddersfield.	Torquay.
Hull.	Wakefield.
Ipswich.	Walsall.
Jersey.	Warrington.
Keighley.	Wigan.
Kendal.	Wolverhampton.
Kidderminster.	Worcester.
Leeds.	Wrexham.
Leicester.	Yeadon, near Leeds.
Limerick.	

Sheweth :

That, at the recent autumnal meeting of this Association, the following Resolution was unanimously passed :—

“ That this Association, whilst expressing every confidence in the watchfulness and firmness of Her Majesty’s Government in regard to the difficulties which have arisen between France and Siam, is desirous that the earliest possible opportunity should be taken by Her Majesty’s Government to seriously consider how far it may be feasible to relieve British interests from liability to injury when disputes arise between two or more States, and especially in the absence of an absolute declaration of war. That in view of the important interests of British business with Siam, forming about 90 per cent. of the trade of that country, this Association trusts that Her Majesty’s Government will continue their efforts to protect our trade, while, at the same time, most anxious to preserve peace with all countries having interest there.”

That, by reason of the extension of French territory in Siam, and by fixing on the whole course of the River Mekong as its new frontier, the existing trade that has been established by the enterprise, industry, and perseverance of subjects of Her Majesty, is likely to be very detrimentally affected, and its extension checked.

And, further, for some years British merchants have contemplated (when a favourable occasion arises) the construction of a railway through British Burmah and the protected Shan States to the south-west of China, in order to facilitate and encourage a land transit trade which is now carried on by means of costly caravan traffic, with a populous friendly State.

Should the negotiations now pending with the French Government result in a new frontier with France and Siam nearly approaching the easiest route for the proposed railway, a most promising object for extending trade would be frustrated.

Numerous prohibitive and hostile Tariffs have been established in recent years, closing valuable markets against British goods ; it therefore behoves our British merchants

and Government to open and develop new markets and routes for commerce, in order to employ, feed, and clothe a dense home population that relies on British trade for its support and existence.

Given under the common seal of the Association, 3rd November, 1893.

(Signed)

ALBERT K. ROLLIT, *President.*

1, Great College Street, Westminster.

November 3, 1893.

No. 372.

Foreign Office to the Incorporated Chamber of Commerce of Liverpool.

Sir,

Foreign Office, November 9, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 1st instant respecting recent events in Siam and their bearing on British commercial interests, and I am to say, in reply, that the various points mentioned in your letter are receiving close attention from Her Majesty's Government.

I am, &c.

(Signed)

T. H. SANDERSON.

No. 373.

The Marquis of Dufferin to the Earl of Rosebery.—(Received November 10.)

(Extract.)

Paris, November 9, 1893.

HAVING learnt on good authority that all the Siamese troops were removed from the left bank of the Mekong, I brought this fact to the notice of M. Develle yesterday, and again pressed him both in regard to the evacuation of Chantaboon and the immediate resumption of our conversation on the question of the guarantee.

In reply, his Excellency said that he would at once telegraph to M. Pavie, the French Agent at Bangkok, with the view, if possible, of fixing a date for the evacuation of Chantaboon, which he said without doubt would be very prompt.

No. 374.

Captain Jones to the Earl of Rosebery.—(Received November 12.)

(Telegraphic.)

Bangkok, November 12, 1893.

I LEAVE to-day. Mr. Scott takes charge.

No. 375.

Captain Jones to the Earl of Rosebery.—(Received November 13.)

(Extract.)

Bangkok, October 12, 1893.

I HAD the honour to forward to your Lordship, in my despatch of the 28th ultimo, a copy of the revised Articles of a proposed new Treaty of Peace and Friendship between France and Siam, submitted by the French Plenipotentiary, M. Le Myre de Vilers, on the preceding day for the consideration of the Siamese Government.

On the 29th ultimo M. Le Myre de Vilers attended at the Foreign Office, by appointment, in order to learn the decision of the Siamese Foreign Minister on the acceptance of the conditions proposed. The latter, during the interview, produced a paper which he had drawn up on the subject, in which considerable modifications of M. Le Myre de Vilers' proposals were suggested, and when he had read it through, the latter took from his portfolio a fresh proposal, still further modified, which he placed before the Siamese Minister, observing that he had just received it from the French Minister for Foreign Affairs, and that it embodied all the alterations and concessions which he was prepared to accord. He then rose to leave, handing at the same time to the Siamese Minister a draft of a Convention, copy inclosed, for the execution of the said Treaty of Peace, as well as of the stipulations of the ultimatum accepted by the Siamese Government on the

5th August last. He observed before leaving, "I leave Siam within four days, whether these conditions be accepted or not, and I shall come again on Sunday next (1st October) to hear your decision. The Treaty can afford to wait, but there must be no delay as regards the Convention."

On the 1st instant the Plenipotentiaries met again at the Foreign Office, and after some deliberation the Treaty was signed in its inclosed form. When the Convention was brought forward for discussion, the Siamese Plenipotentiary opposed its provisions on the grounds which are embodied in the *procès-verbal* inclosed.

The Convention and the Treaty were formally signed by the Representatives of the two States on the 3rd instant, and after taking leave of the King at a private audience, M. Le Myre de Vilers left Bangkok on the 6th instant for Saigon.

Inclosure 1 in No. 375.

Treaty of Peace signed by the French and Siamese Plenipotentiaries, October 3, 1893.

SA Majesté le Roi de Siam et M. le Président de la République Française, voulant mettre un terme aux contestations survenues dans ces derniers temps entre les deux États et consolider les relations d'amitié qui existent depuis des siècles entre le Siam et la France, ont nommé pour leurs Plénipotentiaires :—

Sa Majesté le Roi de Siam, son Altesse Royale le Prince Devawongse Varoprakar, Chevalier de l'Ordre de Maha Chakrkri, Grand-Officier de la Légion d'Honneur, &c., Ministre des Affaires Étrangères :

Et M. le Président de la République Française, M. Charles Marie Le Myre de Vilers, Grand-Officier de la Légion d'Honneur et de l'Éléphant Blanc, Ministre Plénipotentiaire de Première Classe, Député :

Lesquels, après s'être communiqué leurs pleins pouvoirs et les avoir reconnus en due et bonne forme, sont convenus des Articles suivants :—

ARTICLE I.

Le Gouvernement Siamois renonce à toute prétention sur l'ensemble des territoires de la rive gauche du Mékong et sur les îles du fleuve.

ARTICLE II.

Le Gouvernement Siamois s'interdit d'entretenir ou de faire circuler des embarcations ou des bâtiments armés sur les eaux du Grand Lac, du Mékong et de leurs affluents situés dans les limites visées à l'Article suivant.

ARTICLE III.

Le Gouvernement Siamois ne construira aucun poste fortifié ou établissement militaire dans les Provinces de Battambang et de Siam-Reap, et dans un rayon de 25 kilom. sur la rive droite du Mékong.

ARTICLE IV.

Dans les zones visées par l'Article III la police sera exercée selon l'usage par les autorités locales avec les contingents strictement nécessaires. Il n'y sera entretenu aucune force armée régulière ou irrégulière.

ARTICLE V.

Le Gouvernement Siamois s'engage à ouvrir, dans un délai de six mois, des négociations avec le Gouvernement Français, en vue du règlement du régime douanier et commercial des territoires visées à l'Article III, et de la revision du Traité de 1856. Jusqu'à la conclusion de cet accord il ne sera pas établi des droits de douane dans la zone visée à l'Article III. La réciprocité continuera à être accordée par le Gouvernement Français aux produits de la dite zone.

ARTICLE VI.

Le développement de la navigation du Mékong pouvant rendre nécessaire sur la rive droite certains travaux ou établissements de relais de batellerie et de dépôts de bois et de charbon, le Gouvernement Siamois s'engage à donner, sur la demande du Gouvernement Français, toutes les facilités nécessaires à cet effet.

ARTICLE VII.

Les citoyens, sujets, ou ressortissants Français pourront librement circuler et commercer dans les territoires visés à l'Article III, munis d'une passe délivrée par les autorités Françaises. La réciprocité sera accordée aux habitants des dites zones.

ARTICLE VIII.

Le Gouvernement Français se réserve d'établir des Consuls où il le jugera convenable dans l'intérêt de ses ressortissants, et notamment à Korat et à Muang-Nan.

ARTICLE IX.

En cas de difficultés d'interprétation, le texte Français fera seul foi.

ARTICLE X.

Le présent Traité devra être ratifié dans un délai de quatre mois, à partir du jour de la signature.

En foi de quoi les Plénipotentiaires respectifs susnommés ont signé le présent Traité en duplicata, et y ont apposé leurs cachets.

Fait au Palais de Vallabha, à Bangkok, le 3 Octobre, 1893.

(Signé)

LE MYRE DE VILERS.

DEVAWONGSE VAROPRAKAR.

(Translation.)

HIS Majesty the King of Siam and the President of the French Republic, being desirous of closing the disputes which have lately arisen between the two countries, and of consolidating the friendly relations which have for centuries existed between Siam and France, have named as their Plenipotentiaries :

His Majesty the King of Siam, His Royal Highness Prince Devawongse Varoprakar, Knight of the Order of Maha Chakrri, Grand Officer of the Legion of Honour, Minister for Foreign Affairs ;

And the President of the French Republic, M. Charles Marie Le Myre de Vilers, Grand Officer of the Legion of Honour and the White Elephant, Minister Plenipotentiary of the First Class, Deputy ;

Who, having communicated to each other their full powers, and recognized them in due and proper form, have agreed on the following Articles :—

ARTICLE I.

The Siamese Government renounces all claim to the whole of the territories on the left bank of the Mekong, and to the islands in the river.

ARTICLE II.

The Siamese Government binds itself not to maintain or navigate ships or armed vessels on the waters of the Great Lake, the Mekong, and their affluents within the limits stipulated in the following Article.

ARTICLE III.

The Siamese Government shall construct no fortified port or military establishment in the Provinces of Battambang and Siam-Reap, and within a radius of 25 kilom. on the right bank of the Mekong.

ARTICLE IV.

Within the zones stipulated by Article III the police shall be carried on according to custom by the local authorities with the contingents strictly necessary. No armed force, regular or irregular, shall be maintained there.

ARTICLE V.

The Siamese Government undertakes to open negotiations within six months with the French Government with a view to the settlement of the customs and commercial system of the territories specified in Article III and the revision of the Treaty of 1856. Until the conclusion of this Agreement no customs duties shall be established within the zone specified in Article III. The French Government shall continue to grant reciprocity to the products of the said zone.

ARTICLE VI.

As the development of the navigation of the Mekong may entail certain works on the right bank, or establishments for relays of boats and stores of wood and coal, the Siamese Government engages to grant any necessary facilities for this purpose on the request of the French Government.

ARTICLE VII.

French citizens, subjects, or those under French protection ("ressortissants") shall travel and trade freely, if provided with a pass issued by the French authorities, in the territories specified in Article III. Reciprocal rights will be accorded to the inhabitants of the said zones.

ARTICLE VIII.

The French Government reserves to itself the right of establishing Consuls at such places as they shall judge suitable to the interests of their lieges ("ressortissants"), and particularly at Korat and Muang Nan.

ARTICLE IX.

In case of difficulties of interpretation, the French text shall carry weight.

ARTICLE X.

The present Treaty is to be ratified within four months from the date of signature.

In witness whereof the respective Plenipotentiaries above named have signed the present Treaty in duplicate, and attached their seals.

Done at the Palace of Vallabha, at Bangkok, the 3rd October, 1893.

(Signed)

LE MYRE DE VILERS.

DEVAWONGSE VAROPRAKAR.

Inclosure 2 in No. 375.

Convention regarding the execution of Terms of Treaty of Peace signed by the French and Siamese Plenipotentiaries, October 3, 1893.

LES Plénipotentiaires ont arrêté dans la présente Convention les différentes mesures et les dispositions qu'entraînent l'exécution du Traité de Paix signé en ce jour et de l'ultimatum accepté le 5 Août dernier.

ARTICLE I.

Les derniers postes militaires Siamois de la rive gauche du Mékong devront être évacués dans le délai maximum d'un mois à partir du 5 Septembre.

ARTICLE II.

Toutes les fortifications de la zone visée à l'Article III du Traité en date de ce jour devront être rasées.

ARTICLE III.

Les auteurs des attentats de Tong-Xieng-Kham et de Kammoun seront jugés par les autorités Siamois, un Représentant de la France assistera au jugement, et veillera à l'exécution des peines prononcées. Le Gouvernement Français se réserve le droit d'apprécier si les condamnations sont suffisantes, et, le cas échéant, de réclamer un nouveau Jugement, devant un Tribunal Mixte dont il fixera la composition.

ARTICLE IV.

Le Gouvernement Siamois devra remettre à la disposition du Ministre de France à Bangkok ou aux autorités Françaises de la frontière, tous les sujets Français, Annamites, Laotiens de la rive gauche, et les Cambodiens détenus à un titre quelconque. Il ne mettra aucun obstacle au retour sur la rive gauche des anciens habitants de cette région.

ARTICLE V.

Le Bam Bien de Tong-Xieng-Kham et sa suite seront amenés par un délégué du Ministre des Affaires Étrangères à la Légation de France, ainsi que les armes et le pavillon Français saisis par les autorités Siamois.

ARTICLE VI.

Le Gouvernement Français continuera à occuper Chantaboon jusqu'à l'exécution des stipulations de la présente Convention, et notamment jusqu'à complète évacuation et pacification tant de la rive gauche que des zones visées à l'Article III du Traité en date de ce jour.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention et y ont apposé leurs cachets.

Fait en double, au Palais Vallabha, à Bangkok, le 3 Octobre, 1893.

(Signé)

LE MYRE DE VILERS.

DEVAWONGSE VAROPRAKAR.

(Translation.)

THE Plenipotentiaries have drawn up in the present Convention the different measures and arrangements entailed by the execution of the Treaty of Peace signed this day, and the ultimatum accepted on the 5th August last.

ARTICLE I.

The last Siamese military posts on the left bank of the Mekong shall be evacuated within a period of one month at most from the 5th September.

ARTICLE II.

All the fortifications in the zone specified in Article III of the Treaty of this day's date shall be rased.

ARTICLE III.

The persons guilty of the offences of Tong-Xieng-Kham and Kammoun shall be tried by the Siamese authorities, a Representative of France to be present at the trial, and will see that the penalties inflicted are carried out. The French Government reserves the right of deciding whether the sentences are sufficient, and, if they are, of claiming a new trial before a Mixed Tribunal, of which it shall determine the composition.

ARTICLE IV.

The Siamese Government shall hand over to the French Minister at Bangkok or the French frontier authorities all the French, Annamite, and Laotian subjects of the left bank, as well as the Cambodians detained under any pretext whatever. They shall set no obstacle in the way of the return to the left bank of the former inhabitants of that district.

ARTICLE V.

The Bam Bien of Tong-Xieng-Kham and his suite shall be brought by a delegate of the Ministry of Foreign Affairs to the French Legation, as well as the arms and the French flag seized by the Siamese authorities.

ARTICLE VI.

The French Government shall continue to occupy Chantaboon until the execution of the stipulations of the present Convention, and more especially until the complete evacuation and pacification both of the left bank and of the zones designated in Article III of the Treaty of this day's date.

In witness whereof the respective Plenipotentiaries have signed the present Convention and attached their seals.

Done in duplicate at the Palace of Vallabha, at Bangkok, the 3rd October, 1893.

(Signed)

LE MYRE DE VILERS.

DEVAWONGSE VAROPRAKAR.

Inclosure 3 in No. 375.

Procès-verbal appended to Convention signed by the French and Siamese Plenipotentiaries, October 3, 1893.

SON Altesse Royale craint de ne pouvoir évacuer certains postes très éloignés à la date du 5 Octobre. Il y a des impossibilités matérielles. M. Le Myre de Vilers répond qu'il suffira au Gouvernement Siamois de demander un nouveau délai en indiquant les noms des postes et la date extrême. Les autorisations lui seront certainement accordées du moment où justification sera faite de la nécessité d'un délai.

Son Altesse Royale demande si les dispositions de l'Article II entraîneront la démolition d'anciennes fortifications hors d'usage et sans emploi militaire depuis des longues années et qui n'ont plus qu'un caractère historique, telles que l'enceinte du Gouverneur de Battambang, &c.

Le Plénipotentiaire répond que par fortification on entend des ouvrages militaires susceptibles de défense; que les enceintes présentant seulement un intérêt historique ne sont pas visées.

Son Altesse Royale demande où siégera le Tribunal d'Appel pourvu à l'Article III.

Le Plénipotentiaire répond que ce sera à Bangkok.

Son Altesse Royale demande ce que veut dire le mot "mixte."

Le Plénipotentiaire répond qu'il s'agit d'un Tribunal Franco-Siamois.

Son Altesse Royale fait remarquer que cette disposition a pour conséquence de soustraire des sujets Siamois à leurs Juges naturels.

Le Plénipotentiaire répond que le Siam est un pays de juridiction et que ce n'est pas une innovation puisqu'il existe déjà des Tribunaux Mixtes.

Au sujet de l'Article V de la Convention Son Altesse Royale fait observer que le Bam Bien doit être déjà rentré sur le territoire Français, et que dans ces conditions, il ne lui sera pas possible d'arriver à conduire ce fonctionnaire devant le Ministre Résident de Bangkok.

Le Plénipotentiaire Français répond que, si le Bam Bien est en territoire Français, la clause tombe d'elle-même. Si l'Article a été maintenu c'est qu'il est nécessaire que le Gouvernement Siamois justifie de la rentrée de ce fonctionnaire. Son Altesse Royale aura donc, par une note spéciale, à faire connaître le point du territoire où le Bam Bien a quitté le Siam à fin que l'on puisse constater sa présence. La même interprétation doit être adoptée pour l'interprète et les soldats Annamites.

Dans le cas que le Bam Bien et les autres sujets Français seraient encore au Siam, l'Article V serait applicable.

Au sujet de l'Article VI, son Altesse Royale le Prince Devawongse demande des explications au sujet du mot de "pacification." Le Plénipotentiaire répond que le Gouvernement Français a fait cette réserve en vue des troubles ou rebellion qui seraient fomentés par des Siamois.

Le Prince craint que, dans ces conditions, on trouve toujours un motif pour déclarer que la pacification n'est pas faite, que les Siamois fomentent des troubles.

M. Le Myre de Vilers dit que le Traité de Paix et la Convention sont faits de bonne foi ; que ce principe domine l'œuvre des Plénipotentiaires ; que s'il était contesté, il n'y aurait plus lieu à négociation.

Le Prince demande s'il peut compter que Chantaboon sera évacué lorsque les troupes Siamoises seront entièrement retirées.

M. Le Myre de Vilers répond négativement. Il faut au préalable que le Gouvernement Français soit certain que le Gouvernement Siamois exécute sincèrement les dispositions de l'ultimatum.

Le Prince demande comment il pourra prouver la sincérité de son Gouvernement pour arriver à l'évacuation.

M. Le Myre de Vilers répond que le Gouvernement Français n'a pas l'intention de conserver Chantaboon ; que son propre intérêt est de hâter l'évacuation pour éviter de lourdes dépenses ; que du reste c'est une question de bonne foi.

Fait au Palais de Vallabha, à Bangkok, le 3 Octobre, 1893.

(Signé)

LE MYRE DE VILERS.

DEVAWONGSE VAROPRAKAR.

(Translation.)

HIS Royal Highness fears he will be unable to evacuate certain very distant posts by the date of the 5th October. There are physical impossibilities in the way. M. Le Myre de Vilers replies that it will be sufficient for the Siamese Government to ask for a fresh delay, giving the names of the posts and the latest date. The authorizations will certainly be accorded as soon as the necessity for delay is justified.

His Royal Highness asks if the arrangements under Article II will entail the demolition of ancient fortifications no longer in use and not employed for military purposes for many years, and having a purely historical character, such as the fortified inclosure of the Governor of Battambang, &c.

The Plenipotentiary replies that by fortification is meant military works capable of being defended ; fortified inclosures offering a purely historic interest are not alluded to.

His Royal Highness asks where the Tribunal of Appeal provided for in Article III is to sit.

The Plenipotentiary replies that it will be at Bangkok.

His Royal Highness asks what is meant by the word "mixed."

The Plenipotentiary replies that a Franco-Siamese Tribunal is referred to.

His Royal Highness calls attention to the fact that the result of this arrangement will be to withdraw Siamese subjects from their natural Judges.

The Plenipotentiary replies that Siam is a country in which there is Consular jurisdiction, and that it is no innovation, as there are already Mixed Tribunals there.

With respect to Article V of the Convention, His Royal Highness remarks that the Bam Bien has probably already returned to French territory, and in that case it will be

impossible for him to succeed in bringing that functionary before the Minister Resident at Bangkok.

The French Plenipotentiary replies that, if the Bam Bien is in French territory, the clause falls through naturally. The Article has been preserved because it is necessary that the Siamese Government should prove the return of that functionary. His Royal Highness will have therefore to give information, in a special note, of the point at which the Bam Bien has quitted Siamese territory in order that his presence may be ascertained. The same construction should be taken in the case of the interpreter and the Annamite soldiers.

In case the Bam Bien and the other French subjects be still in Siam, Article V will hold good.

With respect to Article VI, His Royal Highness Prince Devawongse asks for an explanation as to the word "pacification." The Plenipotentiary replies that the French Government has made this reservation in view of the troubles or rebellion which might be fomented by the Siamese.

The Prince fears lest, under these circumstances, a motive may always be found for declaring that the pacification is not accomplished, and that the Siamese are fomenting trouble.

M. Le Myre de Vilers says that the Treaty of Peace and the Convention are made in good faith; that this principle controls the work of the Plenipotentiaries; that if it were contested there would cease to be any ground for negotiation.

The Prince asks if he can count on Chantaboon being evacuated when the Siamese troops are wholly withdrawn.

M. Le Myre de Vilers replies in the negative. The French Government must first be certain that the Siamese Government is sincerely carrying out the arrangements of the ultimatum.

The Prince asks how he can prove the sincerity of his Government so as to bring about the evacuation.

M. Le Myre de Vilers replies that the French Government has no intention of keeping Chantaboon; that its own interest is to hasten the evacuation in order to avoid heavy expenses; that it is moreover a question of good faith.

Done at the Palace of Vallabha, at Bangkok, the 3rd October, 1893.

(Signed)

LE MYRE DE VILERS.

DEVAWONGSE VAROPRAKAR.

No. 376.

Prince Svasti to the Earl of Rosebery.—(Received November 13.)

Siamese Legation, 23, Ashburn Place, London,

November 11, 1893.

My Lord,

I HAVE much pleasure in inclosing, for your Lordship's perusal, copies of four telegrams which have reached me from Siam, on the 29th October, the 4th, 10th, and 11th November, respectively, from which you will learn that the evacuation by my countrymen of the entire left bank of the Mekong River has been completed within the terms agreed upon between my Government and that of France.

Will your Lordship permit me to point out that the news contained in the telegram of the 10th November was fifteen days old at the time it was sent to me, whereas the telegram of the 4th November actually gives later news?

I have, &c.

(Signed)

SVASTI.

Inclosure 1 in No. 376.

Prince Bidyalabh to Prince Svasti.

(Telegraphic.)

Bang Pa In, October 29, 1893.

AFTER receipt of a telegram from the Governor-General of Cochin China, M. Pavie sent word to Prince Devawongse, through M. Xavier, that it was reported that the Siamese had already completed the evacuation of Luang Prabang.

M. Xavier requested M. Pavie to write, but this has been refused.

Inclosure 2 in No. 376.

Prince Bidyalabh to Prince Svasti.(Telegraphic.) Bangkok, November 4, 1893.

OUR last posts have been evacuated since the 27th October within the terms agreed upon.

Inclosure 3 in No. 376.

Prince Bidyalabh to Prince Svasti.(Telegraphic.) Bangkok, November 10, 1893.

EVACUATION [of posts] has been completed in Lao Kao. With regard to Lao Phuen, we have received a telegram from Prince Prachaksha, fifteen days ago, which announced that the men withdrawn from the last post were expected to arrive in the course of a few days.

With regard to Luang Prabang we have as yet no further report.

N.B.—Lao Kao = provinces below Khemarath or Lower Mekong. Lao Phuen = provinces of Nong Kai and above Khemarath or Middle Mekong. Luang Prabang = Upper Mekong Valley.

Inclosure 4 in No. 376.

Prince Bidyalabh to Prince Svasti.(Telegraphic.) Bangkok, November 11, 1893.

REPORT received states that the complete evacuation of the posts everywhere has been effected.

No. 377.

*The Earl of Rosebery to the Marquis of Dufferin.*My Lord, Foreign Office, November 14, 1893.

I HAVE given my careful attention to the various reports given by Mr. Phipps of the interviews between the British and French Delegates who have been attempting to fix the limits of a neutral zone between French and British possessions in the Indo-Chinese Peninsula, and I am compelled to come to the conclusion that these negotiations have led to little or no result. They have degenerated, not, I think, by the fault of our Representatives, into somewhat petty polemics, and I am of opinion that it is better that your Excellency should personally come to the point with M. Develle. You should propose, therefore, an interview with him, in which each, if necessary, might be accompanied by some assessor or expert, and you should then attempt to lay down in a broad and statesmanlike spirit the lines of a national Agreement, which should secure the interests, and not injure the susceptibilities, of either party.

With that object you should suggest that the neutral State be composed of Kyaing Chaing (on both sides of the Mekong), and of the portion of Muang Nan to the north of that river, being bounded on the east by Luang Prabang, and on the west by the Mekong and the frontier between Kyaing Ton and Kyaing Chaing; that a Commission be appointed to ascertain the real frontier between Muang Nan and Luang Prabang, and to suggest any rectification of it which would make the neutral State more complete for its purpose, leaving, however, always a minimum breadth of 50 miles; finally, that in the event of the above being agreed to, Great Britain should engage to preserve inviolable the right of free navigation and transit on the Mekong where it is contiguous to the British dominions.

We shall in this way make a contribution of incomparably greater importance to the neutral State than any France will afford. And let me here dismiss the contention of acre for acre, which is not merely unworthy of two great States, but is obviously irrational in itself. Acre for acre is a sufficiently sound basis if the two acres are of

equal value, but no one, I presume, would exchange an acre at Charing Cross for an acre in the Highlands, or an acre in the Champs-Élysées for an acre in Morocco. What would be given by the French under the proposed arrangement would be a wild, mountainous, and practically unexplored country, over which their rights, such as they are, have only recently been extended, and which they have never visited, much less exercised in it the slightest authority. On the other hand, we should give Kyaing Chaing, a recognized State with a recognized capital. We should also give up villages undoubtedly belonging to Kyaing Ton, and we should abandon the complete control of the Mekong, which for some distance is exclusively ours. Less than the extent I have mentioned would not fulfil the purpose in view, nor would it satisfy the Chinese, who have a substantial interest in this question, and who would not improbably decline to undertake the control of a mere strip of territory between our two Empires.

I doubt if any French statesman—or any Frenchman—who takes the trouble to understand the subject will hastily reject any such proposition. Should you, however, find, contrary to my expectations, that the French Government are blind to serious advantages, and are prepared rather to take up the line assumed by their subordinates, it would be well, I think, for your Excellency to state that in our recent interviews you found me of opinion that, if a substantial State was not to be created, but one which would satisfy neither the Chinese nor ourselves, it would be better to abandon the idea of a neutral intermediate State, and content ourselves with maintaining, and actively asserting, our control over the territories already ours. We should then have the control of the Mekong from the south-eastern limits of Kyaing Ton up to the north of Kyaing Chaing, and we should also have to consider whether we should not preserve those undoubted rights over Kyaing Hung which otherwise we are disposed to cede to China in connection with the Burmah-Chinese frontier negotiations.

I need hardly say I should be glad to have from you as soon as may be possible an account of what passes at this interview, together with a reference for further instructions.

I am, &c.
(Signed) ROSEBERY.

No. 378.

Foreign Office to the Association of Chambers of Commerce.

Sir, *Foreign Office, November 13, 1893.*

I AM directed by the Earl of Rosebery to acknowledge the receipt of the Memorial of the Association of Chambers of Commerce of the United Kingdom, dated the 3rd instant, containing a copy of a Resolution relating to the protection of British commercial interests in Siam which was passed at the recent autumnal meeting of the Association.

I am to convey to you his Lordship's thanks for this communication, and to say that it will receive the careful consideration of Her Majesty's Government.

I am, &c.
(Signed) T. H. SANDERSON.

No. 379.

The Earl of Rosebery to Mr. Scott.

(Telegraphic.) *Foreign Office, November 14, 1893.*

REPORT how soon the trial of the persons said to be guilty of the murder of M. Grosgrin may be expected to take place.

No. 380.

The Earl of Rosebery to Prince Svasti.

Sir, *Foreign Office, November 14, 1893.*

I HAVE the honour to acknowledge, with thanks, the receipt of your Royal Highness' letter of the 11th instant, inclosing telegrams relative to the evacuation of the Siamese posts on the left bank of the River Mekong.

I should be glad to know whether your Royal Highness can give me any information as to the date at which the persons who have been accused by the French Government of the murder of M. Groscurin may be expected to arrive at Bangkok.

I have, &c.
(Signed) ROSEBERY.

No. 381.

Prince Svasti to the Earl of Rosebery.—(Received November 15.)

*Siamese Legation, 23, Ashburn Place, London,
November 15, 1893.*

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's inquiry of yesterday's date, in reply to which I beg to inform you that I have already telegraphed to my Government for the information desired by your Lordship, and that I am in hopes of receiving their reply in a day or two.

I shall not fail to communicate with your Lordship as soon as it reaches me.

I have, &c.
(Signed) SVASTI.

No. 382.

Mr. Scott to the Earl of Rosebery.—(Received November 16.)

(Telegraphic.)

Bangkok, November 16, 1893.

IN answer to your Lordship's telegram of the 14th instant, I have the honour to state that the persons concerned in the murder of Inspector Groscurin will be tried as soon as they arrive here. Travelling is difficult owing to the rains, but they are expected before the end of this month.

No. 383.

Prince Bidyalabh to Prince Svasti.—(Communicated by Prince Svasti, November 17.)

(Telegraphic.)

Bangkok, November 17, 1893.

PHRA YOD MUANG KWANG and the accused are expected to arrive at the end of this month. The trial will take place upon their arrival, and the Tribunal will be properly constituted.

No. 384.

Admiralty to Foreign Office.—(Received November 18.)

Sir,

Admiralty, November 16, 1893.

I AM commanded by the Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State, copy of a letter from Captain Macleod, of Her Majesty's ship "Pallas," dated the 22nd August last, with reference to the proceedings of the French in Siam.

I am, &c.
(Signed) EVAN MACGREGOR.

Inclosure in No. 384.

Captain MacLeod to Vice-Admiral Sir E. Fremantle.

Sir,

"Pallas," at Singapore, August 22, 1893.

I HAVE the honour to report, upon the return of Her Majesty's ship under my command to Singapore, the due completion of all orders (transmitted to me from time

to time) in regard to the protection of British, German, and Danish subjects and their interests at Bangkok during the period of strained relations existing recently between France and Siam.

2. The French Rear-Admiral in his flag-ship, accompanied by the vessels belonging to the squadron of the Far East, sailed for Saigon on the 10th instant, leaving the Indo-Chinese "Lutin" and "Alouette" to carry out naval duties required in the service of the French Legation at Bangkok, and in the temporary occupation of Chantaboon forts.

3. On the day previous to my departure the French paddle-aviso "Alouette" came out to the bar to meet and send up the gun-vessel "Papin" then due, with M. Le Myre de Vilers (the French Minister Plenipotentiary) on board, who has been directed to assist M. Pavie in concluding the arrangements for settling the details necessitated by the Siamese acceptance of the terms of the ultimatum.

4. Before leaving Bangkok I was assured on the best authority that, owing to the short duration of the blockade, and the prudent action of the principal mill-owners in paying their coolies enough to enable them to keep themselves fed, so that the men were ready to resume work directly the blockade was raised, trade was not seriously affected. The effect of the temporary cessation of traffic was simply an accumulation of material, which resulted in a corresponding increase of output as soon as freight offered again.

5. But little time was lost by the active centres of commerce in Singapore and Hong Kong in dispatching steamers as usual immediately upon receipt of the telegraphic news that Bangkok was open, and numerous arrivals took place even before we started, so that I may say trade was once more in full swing.

6. As regards navigation, the pilot *dépôt-schooner*, withdrawn up the river after the hostilities, was out again in her usual anchorage, and I believe arrangements were being made for the proper exhibition of the bar light which had altogether failed for a considerable time.

I learned from a reliable source that whatever may be decided upon as to the removal of some of the sunken ships, it is almost certain that a portion will remain where they are, to form the basis of a defensive plan for narrowing that part of the stream.

That a change in the present channel and in the river approaches will take place, especially now the freshets are growing in strength, is only to be expected, and I think the Government of His Majesty the King would do well to settle the question, with the aid of thoroughly expert engineers, at their earliest convenience, as the permanent solution of certain problems connected therewith is of vital importance to Siam, affecting as it does both the defensive and commercial features of the approaches to the capital.

I have, &c.
(Signed) ANGUS MACLEOD.

No. 385.

South of Scotland Chamber of Commerce to the Earl of Rosebery.—(Received November 21.)

My Lord,

Galashiels, November 20, 1893.

I AM directed to transmit a copy of a Resolution unanimously adopted by a meeting of the Council of this Chamber held upon the 25th ultimo upon the subject of trade between this country and Siam, and the effect thereupon by the aggression by France.

I have, &c.
(Signed) RICHARD LEES, *Secretary.*

Inclosure in No. 385.

Resolution.

THAT the South of Scotland Chamber of Commerce views with alarm and dismay the action of France, whereby one-third of our market with Siam has been closed to the trade of this country and of our Colonies and possessions by French aggression, and whereby the remainder of our market in that country and our

prospective trade with the 100,000,000 inhabitants of South-west China is now imperilled. This Chamber fervently hopes that Her Majesty's Government will resolutely resist further French encroachment upon our markets in the Far East; and that, in making arrangements for the neutral zone between the British Shan States and Tonquin, they will take such action as will definitely secure within our sphere of influence the railway routes from the Burmese seaboard to the Chinese frontier-post of Ssumao.

This Chamber considers that, unless these railway routes to Ssumao are kept free for British trade to enter South-west China, our trade with that important market will be restricted to the Chinese Shan States in the Alpine and sparsely-populated regions in the basins of the Irrawaddy and Salween Rivers.

No. 386.

The Marquis of Dufferin to the Earl of Rosebery.—(Received November 22.)

My Lord,

Paris, November 11, 1893.

I HAVE just had a very satisfactory interview with M. Develle. He was good enough again to give me the most positive assurances in regard to the policy of France in Indo-China, and he was most anxious that you should be convinced of the perfect loyalty with which he was acting. He said that the differences between France and Siam were now on the point of being closed. Siam was rapidly fulfilling her Treaty obligations; the left bank of the Mekong, he believed, was already evacuated, and the only matter which really remained unsettled was the punishment of the murderers of M. Groscurin. According to the promise made to me at a previous interview, he had telegraphed to the French Representative at Bangkok to impress upon the Siamese Government the necessity of hastening the trial in order that an early date might be fixed for the evacuation of Chantaboon. There was not the slightest intention of retaining the French troops at that place, and the moment the Siamese Government should have fulfilled its present engagements they would be withdrawn.

His Excellency then went on to speak of the desire of Her Majesty's Government for the placing of Siam under mutual guarantee. He considered that such an arrangement would be most advantageous. It would be the surest way of avoiding in the future all chances of conflict or misunderstanding. "In short," he added, "I desire to renew the assurances I have already given you that the moment the Franco-Siamese Treaty is executed, I shall be quite ready to consult with you on the exact terms in which a reciprocal engagement to that effect may be most conveniently embodied."

The foregoing is but a short résumé of what passed between me and his Excellency, but your Lordship may consider it as an absolutely exact and almost literal reproduction of M. Develle's promises in regard to the proximate evacuation of Chantaboon, and the eventual neutralization of the Kingdom of Siam.

I have, &c.

(Signed) DUFFERIN AND AVA.

No. 387.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, November 26, 1893.

I HAVE received your Excellency's telegram* informing me of the two draft Protocols proposed by the French Government with regard to the constitution of a buffer State between the British and French possessions in the neighbourhood of the Upper Mekong.

Your Excellency should endeavour to obtain a modification providing for the participation of China in the delimitation of the neutral State. But if this should be objected to by the French Government you are authorized to sign the Protocols as they stand.

I am, &c.

(Signed) ROSEBERY.

* See No. 389.

No. 388.

Foreign Office to South of Scotland Chamber of Commerce.

Sir,

Foreign Office, November 27, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 20th instant, forwarding a copy of a Resolution adopted by a meeting of the Council of the South of Scotland Chamber of Commerce respecting recent events in Siam and their bearing on British commercial interests.

I am to say, in reply, that this question is receiving the close attention of Her Majesty's Government.

I am, &c.
(Signed) T. H. SANDERSON.

No. 389.

The Marquis of Dufferin to the Earl of Rosebery.—(Received December 2.)*

My Lord,

Paris, November 20, 1893.

I HAVE the honour to transmit two Protocols, which the French Government have asked me to submit to your Lordship, in reference to the constitution of a buffer State between the possessions of Her Majesty and of the Republic in Indo-China. They are the result of the discussions between the French and English Commissioners and between M. Develle and myself. The first Protocol is to be signed by the Commissioners, and the second by the Minister and me.

In the first, the Commissioners recommend the appointment of a Commission of local experts to verify on the spot the leading geographical and political characteristics of the territory which it is proposed to deal with.

In the second, M. Develle and I accept the foregoing suggestion, and further agree to a breadth of 50 miles from east to west as the leading principle to be adhered to in the constitution of the buffer State; at the same time, that the experts are to examine how the political boundaries of the neighbouring provinces can be best rendered conformable to this desideratum.

The documents in question have only this moment reached my hand; consequently, I have had no time to examine their wording with any minuteness, having only heard them read out in M. Develle's room; but I send them at once to your Lordship by the bag which is just closing, having told M. Develle that I could do no more than promise to submit them to your Lordship's consideration, accompanied by the opinion that, at all events, they seemed to me to contain the germs of an agreement.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure 1 in No. 389.

Draft Protocol.

LES Soussignés, désignés par leurs Gouvernements respectifs pour examiner de quelle manière pourrait être constituée, au moyen de contributions réciproques, une zone intermédiaire entre les possessions Françaises et Anglaises dans la région du Haut-Mékong;

S'étant trouvés arrêtés, aux cours de leurs travaux, par la difficulté de déterminer, d'après des données certaines, les limites et la configuration géographique des diverses provinces situées dans cette région,

Ont reconnu, d'un commun accord, que, pour établir dans des conditions géographiques normales, et sans occasionner de morcellement, une zone d'une étendue suffisante, il conviendrait de faire procéder à une enquête sur place par des agents techniques des deux pays.

Draft Protocol.

LES Soussignés, ayant pris connaissance du Protocole en date du signé par les Commissaires Français et Anglais, et y ayant donné leur approbation, ont reconnu, d'un commun accord, que les agents techniques désignés pour se rendre sur le Haut-Mékong ne devront pas perdre de vue les points suivants :—

1. L'examen géographique auquel ils auront à se livrer, portera sur le cours du Mékong, depuis son entrée dans le Xieng-Kheng jusqu'à son entrée dans le Luang-Prabang; sur les limites de la Province de Xieng-Kheng, et sur celles de la partie de Nan au nord du fleuve.

2. La largeur que les deux Puissances Contractantes se proposent de donner à la zone intermédiaire entre les possessions Françaises et Anglaises, est, dans la mesure où la configuration géographique et politique du pays le permettra, de 80 kilom. de marche, environ. Les agents techniques devront noter soigneusement quelles limites géographiques et politiques atteindraient le mieux ce but.

3. Il est entendu que la navigation, le transit, et les moyens de communication seront libres de toute entrave dans la zone ainsi constituée, chacune des Parties Contractantes s'engageant à ne rechercher aucun avantage, qui ne soit également assuré à l'autre.

No. 390.

The Marquis of Dufferin to the Earl of Rosebery.—(Received December 2.)

(Extract.)

Paris, November 21, 1893.

IMMEDIATELY upon my return from London I waited upon M. Develle at his Excellency's own request, and in accordance with the instructions contained in your Lordship's despatch of the 14th instant in relation to the configuration of the proposed buffer State, I gave him to understand that, in the opinion of Her Majesty's Government, there was little advantage in allowing our Commissioners to continue the purposeless wrangle in which they had become involved, not, as your Lordship considered, through the fault of our Representatives. The principle put forward by Messrs. Jusserand and Revoil that the French contribution to the buffer State should correspond exactly acre for acre to the Province of Kyaing Chaing was altogether unreasonable. Kyaing Chaing was an organized State, with a capital of its own, and a more or less civilized population, whereas the territory which France proposed to cede consisted of the barren flanks of high mountains, frequented by a few nomad families, and, if M. Pavie's Map was to be our guide, with scarcely a village from one end of it to the other. Moreover, I added, the French Commissioners were always calling upon us to show our title to Kyaing Chaing, which was an inadmissible demand. To continue the negotiations under these conditions was evidently a waste of time. We had proposed the buffer State in the interests of both countries, for it was evident that if our boundaries were contiguous any fussy or ill-conditioned frontier officer, whether French or English, would have it in his power to magnify every petty incident into a grave international question, which would be transferred to Europe, and thus grow into a cause of exacerbation between the two Governments, whereas, if a country like China were in the occupation of the intermediate territory, neither England nor France would ever hear a word of any little troubles of the sort, which would be settled to the satisfaction of every one concerned, according to the customs of the country. But unless France would agree to a reasonable and statesmanlike plan, Her Majesty's Government would infinitely prefer the *status quo*. It is true, in that event, we should be compelled to assert our domination over Kyaing Chaing and on both sides of the Mekong in a more active and effective manner than had hitherto been found necessary, for our position in India was such that anything approaching to disputed jurisdiction along our frontier could not be tolerated. Under these circumstances, it was evident that our present conversation was of a somewhat critical nature. In the opinion of your Lordship, such a parrow tongue of land as was suggested by the French Commissioners would be useless for the purpose we had in view; nor could we decently ask China to take charge of so inconveniently shaped an appendage. The breadth of the desired zone should be at least 50 miles. An area short of this would be in manifest contradiction both to the letter and to the spirit of our original Protocol.

M. Develle replied that he entirely recognized, and had always done so, the utility of a neutral zone between the Indian possessions of Her Majesty and those of France in Indo-China. The contemplated arrangement would undoubtedly be advantageous to both countries; nor did he dispute the desirability of interposing such a breadth of neutral territory as your Lordship had recommended. But in endeavouring to reach this result the French Government was precluded by many considerations from dismembering Luang Prabang. The integrity of Luang Prabang was as valid and reasonable a cause of solicitude to France as the integrity of Kyaing Ton was to us; nor would the French Chambers or French public opinion tolerate its disintegration. He thought, however, in the first place, that when the Commission of Experts examined the question on the spot, it would be found that the necessary area could be obtained without seriously infringing the boundary of that province. Its western frontier was at present uncertain, and there probably would be no difficulty in delimitating it in such a manner as to secure the result we both desired, namely, a substantial buffer. He then said that he would explain his views to the French Commissioners, and he suggested that the Commission should meet the next day. I replied that your Lordship considered that the best chance of reaching an understanding was by dispensing with the Commission, but if his Excellency thought their meeting once more would be productive of good, I was quite ready to consent, upon the understanding that, if our Representatives could not come to a final understanding, they should adjourn to M. Develle's room, and that he and I should ourselves endeavour to cut the Gordian knot. In this mode of proceeding M. Develle was good enough to acquiesce.

On the evening of the next day but one I waited upon M. Develle, when he again assured me that he was most anxious to come to such a settlement as would satisfy our requirements. Shortly afterwards the four Commissioners entered the room, and, after some further debate, M. Revoil retired, and eventually brought back to us two Protocols—one of which he proposed should be signed by the four Commissioners—the gist of which was a recommendation that a local Commission of Surveyors should conduct the geographical examination of the districts out of which it was proposed the buffer State should be constructed, and the other a Protocol, to be signed by M. Develle and myself, in which it was laid down as a leading principle that the buffer State should contain a width of 50 miles, accompanied by a recommendation that the experts should examine how far the existing local lines of political demarcation were adaptable to this principle.

It being then very near post time, I had no opportunity of considering these proposals except in a very cursory manner; but on the face of them they appeared to me a great improvement upon what had been previously suggested. The acre for acre principle had been abandoned, and a buffer State of at least 50 miles broad was indicated as the chief desideratum. No question was raised as to our rights in Kyaing Chaing; and Kyaing Ton, except so far as its trans-Mekong villages are concerned, was recognized as lying outside of the territory it is proposed to neutralize.

I told M. Develle, after the proposed Protocols had been read, that I should not object to forward them the same night to your Lordship for consideration; but that, there not being time to examine their exact wording, I could not myself say more than that they appeared to me to contain the germs of a possible agreement. In fact, the documents did not reach me last night till just in time for the post, and I was therefore obliged to send them on to your Lordship under a simple coverer, without further examination, and unaccompanied by any comments.

I cannot conclude this despatch without expressing to your Lordship my sense of obligation to Mr. Phipps and Mr. Lee for the patience, tact, and ability with which they conducted their discussions with the French Commissioners, who, they tell me, on their side, evinced perfect politeness. Mr. Phipps' painstaking Reports of the proceedings will already have conveyed to your Lordship's mind an idea of the intricate character of their debates.

No. 391.

The Marquis of Dufferin to the Earl of Rosebery—(Received December 4.)

My Lord,

Paris, December 1, 1893.

I HAVE the honour to transmit to your Lordship herewith the original of the Protocol signed by the Representatives of this Embassy and of the French Foreign Office, to whom was delegated the task of determining the configuration of the neutral zone which, in accordance with the terms of the Protocol of the 25th November, signed by M. Develle and myself, is to be constituted between Her Majesty's and the French

Republic's possessions in Indo-China. As your Lordship will observe, the Protocol in question recommends that a Technical Commission should be appointed with the view of ascertaining the geographical and political features of the area it is intended to neutralize.

I also inclose a second Protocol, signed by M. Develle and myself, which lays down as the leading principle of the proposed delimitation that the territory in question should comprise a breadth of not less than 50 miles between its eastern and western boundaries, accompanied by a recommendation that the Technical Commission should examine how the existing geographical and political characteristics of this region can be most conveniently harmonized with the foregoing desideratum. The Protocol also contains a reciprocal engagement precluding either Power from seeking to obtain exclusive advantages to the detriment of the other within the State to be thus constituted.

I also append two notes which have been exchanged between M. Develle and myself, in which an assurance is conveyed that neither England nor France has any intention of seeking to monopolize the rights of transit, whether by land or by water, through the province of Kyaing Hung.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure 1 in No. 391.

Protocol signed by the French and English Delegates for the discussion of the Buffer State on the Upper Mekong.

THE Undersigned, named by their respective Governments, in order to examine in what manner, by means of reciprocal contributions, an intermediary zone might be constituted between the British and French possessions in the region of the Upper Mekong;

Being arrested in the course of their labours by the difficulty of determining, according to positive data, the limits and the geographical configuration of the different provinces situated in that region;

Have recognized, by common agreement, that in order to establish, under normal geographical conditions and without causing disintegration, a zone of sufficient extent, it would be desirable to proceed to an inquiry on the spot by Technical Agents of the two countries.

(Signed) E. C. H. PHIPPS.
H. AUSTIN LEE.

LES Soussignés, désignés par leurs Gouvernements respectifs pour examiner de quelle manière pourrait être constituée, au moyen de contributions réciproques, une zone intermédiaire entre les possessions Françaises et Anglaises dans la région du Haut-Mékong;

S'étant trouvés arrêtés, au cours de leurs travaux, par la difficulté de déterminer, d'après des données certaines, les limites et la configuration géographique des diverses provinces situées dans cette région;

Ont reconnu, d'un commun accord, que, pour établir, dans des conditions géographiques normales et sans occasionner de morcellement, une zone d'une étendue suffisante, il conviendrait de faire procéder à une enquête sur place, par des Agents Techniques des deux pays.

Fait à Paris, le 25 Novembre, 1893.

(Signé) JUSSERAND.
PAUL REVOIL.

Inclosure 2 in No. 391.

Protocol signed by the Marquis of Dufferin and M. Develle.

THE Undersigned, having taken cognizance of the Protocol signed by the English and French Commissioners on this day, and having approved it, have recognized, by common agreement, that the Technical Agents designated to proceed to the Upper Mekong should not lose sight of the following points:—

1. The geographical examination which they will have to undertake will deal with the course of the Mekong from its entry into Kyaing Chaing until its entry into Luang Prabang, with the limits of the Pro-

LES Soussignés, ayant pris connaissance du Protocole en date de ce jour signé par les Commissaires Français et Anglais, et y ayant donné leur approbation, ont reconnu, d'un commun accord, que les Agents Techniques désignés pour se rendre sur le Haut-Mékong ne devront pas perdre de vue les points suivants:—

1. L'examen géographique auquel ils devront se livrer, portera sur le cours du Mékong, depuis son entrée dans le Kieng-Kheng jusqu'à son entrée dans le Luang-Prabang; sur les limites de la Province de

vince of Kyaing Chaing, and with those of that portion of Muang Nan which lies to the north of the river.

2. The breadth which the two Contracting Powers propose to give to the intermediary zone between the British and French possessions is, in so far as the geographical and political configuration of the country will allow, to be about 80 superficial kilometres. The Technical Agents shall note carefully what geographical and political limits would best attain this object.

3. It is agreed that the navigation, transit, and means of communication in the zone thus constituted shall be free from every impediment, each of the Contracting Parties undertaking not to seek any advantage which is not equally secured to the other.

(Signed) DUFFERIN AND AVA.

Kieng-Kheng, et sur celles de la partie de Nan au nord du fleuve.

2. La largeur que les deux Puissances Contractantes se proposent de donner à la zone intermédiaire entre les possessions Françaises et Anglaises est, dans la mesure où la configuration géographique et politique du pays le permettra de 80 kilom. de marche, environ. Les Agents Techniques devront noter soigneusement quelles limites géographiques et politiques atteindraient le mieux ce but.

3. Il est entendu que la navigation, le transit et les moyens de communication seront libres de toute entrave dans la zone ainsi constituée, chacune des Parties Contractantes s'engageant à ne rechercher aucun avantage qui ne soit également assuré à l'autre.

Fait à Paris, le 25 Novembre 1893.

(Signé) JULES DEVELLE.

Inclosure 3 in No. 391.

The Marquis of Dufferin to M. Develle.

My dear M. Develle,

Paris, December 1, 1893.

IN answer to the question that you were good enough to address to me on Tuesday, with reference to the rumour that we had come to an agreement with China concerning the State of Kyaing Hung, I beg to inform you that at present no such Treaty has been signed, and that we have no intention of seeking to obtain any monopoly, either for railways, Steam-boat Companies, or any other mode of transit or communication, to the detriment of any similar French commercial undertakings. It is understood that in the above respects the field is left as open to French as to English enterprise.

In acknowledging the receipt of this note, perhaps you will kindly intimate the willingness of the French Government to accede to a reciprocal engagement.

Believe me, &c.

(Signed) DUFFERIN AND AVA.

Inclosure 4 in No. 391.

M. Develle to the Marquis of Dufferin.

Cher Lord Dufferin,

Paris, le 1^{er} Décembre, 1893.

VOUS avez bien voulu me faire savoir, par votre lettre de ce jour, qu'aucun Traité n'a été signé, jusqu'ici, entre la Grande-Bretagne et la Chine, au sujet de l'État de Kieng Hung, et que l'Angleterre n'a nullement l'intention de chercher à obtenir aucun monopole, soit pour les chemins-de-fer ou Compagnies de Navigation, soit pour tout autre mode de transit ou communication, au détriment d'entreprises commerciales Françaises de même ordre. Il est entendu que le champ devra demeurer libre, à cet égard, pour les entreprises Françaises et Anglaises. Je m'empresse de vous accuser réception de cette communication, dont je prends acte bien volontiers. Réciproquement et conformément à votre demande, j'ai l'honneur de vous faire savoir que la délimitation des possessions Françaises, du côté de Kieng Hung, n'a pas encore été faite, mais que, dans les négociations que le Gouvernement de la République aura à suivre, à ce sujet, avec le Gouvernement Chinois, il compte se guider d'après les principes mêmes que vous avez bien voulu énoncer dans votre lettre de ce jour, et auxquels je ne peux qu'adhérer sans réserve.

Agréé, &c.

(Signé) J. DEVELLE.

(Translation.)

Dear Lord Dufferin,

Paris, December 1, 1893.

YOU were good enough to inform me in your letter of to-day that no Treaty has yet been signed between Great Britain and China on the subject of the State of Kyaing Hung, and that England has no intention of seeking to obtain any monopoly, either for railways, Steam-boat Companies, or any other mode of transit or communication, to the detriment of French commercial enterprises of the same kind. It is understood that, in this respect, the field will be left open to French and English enterprise. I hasten to acknowledge the reception of this communication, of which I gladly take note. In return, and in accordance with your request, I have the honour to inform you that the delimitation of the French possessions on the side of Kyaing Hung has not yet been made, but that, in the negotiations on this subject which the Government of the Republic will have to carry on with the Chinese Government, they intend to be guided by the same principles as are laid down by you in your note of to-day, to which I have only to adhere without reserve.

Receive, &c.

(Signed) J. DEVELLE.

No. 392.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, December 7, 1893.

I HAVE received and laid before the Queen your Excellency's despatches of the 20th and 21st ultimo, giving an account of your negotiations with regard to the neutral State to be constituted between the British and French possessions in the vicinity of the Upper Mekong. I have also received and laid before Her Majesty your Excellency's despatch of the 1st instant, forwarding copies of the Protocols signed and of the notes exchanged between your Excellency and M. Develle on this question.

I have pleasure in conveying to your Excellency the entire approval of Her Majesty's Government, and their satisfaction at the arrangement which you have concluded,

The object of the two Governments has been to remove, as far as possible, all risk of irritating questions and subjects of dispute arising on their frontiers in these regions. The settlement which is sketched out in the Protocol signed by you and M. Develle seems well calculated to secure that end. Her Majesty's Government feel that this result is largely due to the ability with which you have carried on the negotiations, and to the statesmanlike and conciliatory disposition in which M. Develle has treated the matter.

I note with much pleasure your favourable mention of the manner in which Mr. Phipps and Mr. Lee have conducted the discussions in the Commission charged to examine the subject, and I request you to convey to them the expression of my approval.

I am, &c.

(Signed) ROSEBERY.

No. 393.

The Earl of Rosebery to the Marquis of Dufferin.

(Telegraphic.)

Foreign Office, December 8, 1893.

EXPERTS inform me that if the Joint Commission for the examination of the limits of the buffer State does not start immediately and terminate its labours before the month of May, it will be necessary to wait until November next.

As soon as the French Government are ready, Her Majesty's Government would be prepared to send Mr. Scott, now Her Majesty's Chargé d'Affaires at Bangkok, as their Commissioner.

No. 394.

The Marquis of Dufferin to the Earl of Rosebery.—(Received December 11.)

My Lord,

Paris, December 9, 1893.

I HAVE the honour to transmit herewith to your Lordship copy of a note which I have addressed to M. Casimir-Perier, French Minister for Foreign Affairs, in accordance with the terms of your Lordship's telegram of the 8th instant, urging upon his Excellency the importance of the early appointment of a French Delegate to examine with Mr. Scott, British Commissioner, and Her Majesty's Chargé d'Affaires at Bangkok, the neutral State to be constituted between the British and French possessions in Indo-China.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 394.

The Marquis of Dufferin to M. Casimir-Perier.

M. le Président du Conseil,

Paris, December 9, 1893.

ACCORDING to information received by Her Majesty's Government from experts acquainted with the local conditions, it appears that unless the Commissioners appointed to examine the proposed neutral State, to be formed in accordance with the terms of the Protocol signed by your predecessor and myself on the 25th ultimo, are ready to start at once and to complete their work before the month of May of next year, it will be necessary to delay the examination until the following month of November.

I have therefore been instructed by Her Majesty's Principal Secretary of State for Foreign Affairs to inform your Excellency that Her Majesty's Government are prepared to send forthwith Mr. Scott, Her Majesty's Chargé d'Affaires at Bangkok, to act as British Delegate on the proposed Commission, and I trust that your Excellency will be in a position to inform me that the Government of the French Republic are prepared on their side to appoint at once a Delegate in order that no delay may take place in carrying out the terms of the Agreement come to between the two Governments. I may mention that M. Develle himself suggested that no time should be lost in the matter, and I accordingly wrote in that sense to Lord Rosebery.

I have, &c.

(Signed) DUFFERIN AND AVA.

No. 395.

The Marquis of Dufferin to the Earl of Rosebery.—(Received December 12.)

My Lord,

Paris, December 11, 1893.

WITH reference to my despatch of the 9th instant, I have the honour to transmit herewith to your Lordship copy of a note which I have received from M. Casimir-Perier, in which his Excellency states that he hopes shortly to be in a position to reply to my inquiry as to the appointment of a French Delegate on the Commission to examine into the proposed buffer State.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 395.

M. Casimir-Perier to the Marquis of Dufferin.

M. l'Ambassadeur,

Paris, le 9 Décembre, 1893.

J'AI l'honneur d'accuser réception à votre Excellence de sa communication de ce jour relative à la composition de la Commission Technique qui doit se rendre sur le Haut-Mékong.

J'en ai immédiatement fait part à M. le Sous-Secrétaire d'État des Colonies que j'avais, d'ailleurs, entretenu déjà de la question.

J'espère être incessamment en mesure de répondre à la demande dont vous avez bien voulu me saisir.

Agréé, &c.
(Signé) CASIMIR-PERIER.

(Translation.)

M. l'Ambassadeur,

Paris, December 9, 1893.

I HAVE the honour to acknowledge receipt of your Excellency's communication of to-day's date, respecting the composition of the Technical Commission which is to proceed to the Upper Mekong.

I communicated it at once to the Under-Secretary of State for the Colonies, with whom I had, moreover, already discussed the question.

I hope shortly to be in a position to reply to the question which you were good enough to address to me.

I have, &c.
(Signed) CASIMIR-PERIER.

No. 396.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, December 15, 1893.

MY attention has been drawn to one of the extracts from the French press forwarded by your Excellency on the 10th instant, in which it is stated positively that on the 16th July, 1884, Lord Lyons, then Her Majesty's Ambassador at Paris, announced to M. Jules Ferry that all the Shan States situated on either bank of the Mekong were admitted by the British Government to be within the French sphere of influence.* Lord Lyons' report of his interview with M. Jules Ferry on the date in question was laid before Parliament in 1886 in a Blue Book respecting Burmah.

I inclose a copy of the despatch herewith, for convenience of reference. It will be seen that, so far from Lord Lyons having made any admission of this kind, his Excellency stated that he was unable to understand how there could be any questions of neighbourhood ("voisinage") between France and Burmah, and that so far from asserting that the claims of Tonquin or Annam extended to the Mekong, M. Jules Ferry explained that such questions of neighbourhood might arise in consequence of the claims of Burmah to suzerainty over territories on the left bank of that river.

This view is in entire accordance with the information contained in the French official Map of Indo-China of 1881, revised and republished by the French Minister of War in 1886, in which the "Frontière d'Annam d'après les Cartes Annamites" is

* *Extract from the "Rappel" of December 10, 1893.*

Avant de quitter le pouvoir, M. Develle, Ministre des Affaires Étrangères, a conclu, paraît-il, avec Lord Dufferin, une Convention adoptant, en principe, la création d'un État-tampon entre l'Indo-Chine et la Birmanie Britannique. Les limites de cet État seraient encore à déterminer. Il semble toutefois que les Anglais aient voulu revendiquer un droit de souveraineté sur une partie des États Shans s'étendant sur la rive gauche du Mékong. Notre Gouvernement n'aurait pas accepté de reconnaître ces prétentions. Bref, il aurait été décidé qu'une Commission Mixte se rendrait sur les lieux, et dresserait une carte du Haut-Mékong avant de fixer la situation et la limite de l'État-tampon. De plus, les deux Puissances auraient admis que le territoire de Xien-Kong dépend de l'Empire Chinois.

C'est ainsi que se présente aujourd'hui la question de l'État-tampon. Il ne s'agit point, on le voit, d'en confier, même éventuellement, l'administration à la Chine.

Eh bien. Si M. Develle a signé une telle Convention, il est permis d'affirmer qu'il a commis un singulier acte de faiblesse, et qu'il n'a tenu aucun compte, ni des déclarations faites par l'Angleterre en 1884 à M. Jules Ferry, à ce moment Ministre des Affaires Étrangères, ni du Traité du 3 Octobre dernier avec le Siam.

Le 16 Juillet, 1884, je précise, Lord Lyons, Ambassadeur d'Angleterre, annonçait à M. Jules Ferry que tous les États Shans situés sur les deux rives du Mékong étaient compris dans la sphère d'influence Française, de l'aveu du Gouvernement Britannique.

Neuf années plus tard, après avoir reconnu notre droit de suzeraineté, l'Angleterre revendique les trois quarts des États Shans, et déclare que l'autre part est au Siam, auquel elle l'a cédé, bien que ne lui appartenant pas, en échange de la rive gauche de la Salouen, et à condition que le Siam ne le rétrocéderait à personne.

C'est-à-dire que l'Angleterre cherche à soustraire à notre action la totalité des États Shans, et M. Develle a admis cela, au mépris de nos droits, a concédé le principe d'un État-tampon, a conclu une Convention sur ces bases,

drawn some 20 miles to the east of the Nam-U, while the territories between the Nam-U and Mekong are described as "tributaires de Birmanie et de Siam."

I do not suppose that the very obvious mis-statement which I have alluded to will mislead the French Government, who must have the documents at hand. But it may be useful to your Excellency to have the means of positively contradicting it, should the opportunity present itself.

I am, &c.
(Signed) ROSEBERY.

Inclosure in No. 396.

Viscount Lyons to Earl Granville.

My Lord,

Paris, July 16, 1884.

I HAVE the honour to report to your Lordship that again, this afternoon, I spoke to M. Jules Ferry of the desire of Her Majesty's Government to receive from the French Government a promise that the functions of any French Agent, who might be appointed under the Franco-Burmese Treaty of 1873, shall be of a purely commercial, and not in any sense of a political, character.

M. Jules Ferry, after adverting to the *pro-memorid* which I put into his hand, observed that it was necessary to go a little towards the bottom of things. The Treaty contained a stipulation that each party was free to accredit Diplomatic and Consular officers to the other. The present intention of the French Government was to station only a Consul in Burmah, but, after all, the title given to the Agent was not really a matter of much consequence. It would be impossible to draw an exact line between political and commercial functions. In practice, the Agent, whatever title he might bear, must deal with general questions between the two countries. For instance, there might be questions of neighbourhood ("voisinage").

On my confessing that I was unable to understand how there could be any questions of that kind between France and Burmah, M. Ferry said that there were territories on the left of the River Mekong over which Burmah claimed suzerain rights, although she did not, he believed, exercise any practical authority over them.

M. Ferry went on to say that he was anxious to remove any doubts or misgivings which might exist either in India or England respecting the scope and object of the negotiations between the French and Burmese Governments.

It was, he told me, quite true that the Burmese desired to throw themselves into the arms of France, but the French Government were determined not to accept any offers of this kind. They had no intention of forming with Burmah an alliance defensive and offensive, or any alliance whatever of a special character. All they desired was to establish friendly intercourse and commercial relations on a proper basis. There were no secret communications going on. There was no question of any secret Treaty. The Burmese asked, indeed, many things, and particularly demanded facilities for procuring arms, but to all such requests the French Government turned a deaf ear. They were simply engaged in making an ordinary Treaty, with such stipulations as were usual and necessary in order to insure the safety of Europeans in Eastern countries.

In answer to a question which I put to him, M. Jules Ferry said that he distinctly authorized me to give your Lordship an assurance from him that France did not contemplate making any special political alliance with Burmah.

I am, &c.
(Signed) LYONS.

No. 397.

Sieh Ta-jén to the Earl of Rosebery.—(Received December 19.)

My Lord,

Chinese Legation, December 16, 1893.

I AM instructed by the Tsung-li Yamén to inform your Lordship that the Imperial Government, being extremely desirous of maintaining the independence and the territorial integrity of the Kingdom of Siam, have learned with the most lively satisfaction that such was also the wish of the Governments of England and France; and, further, that they would be prepared to join them in any measures they may be pleased to take with the view of securing these objects.

As regards the buffer State which it is proposed to establish between the British and the French possessions on the Upper Mekong, and which your Lordship has been good enough to say Her Majesty's Government are desirous of placing under the sovereignty of China, I have the honour to state that in the event of its being of sufficient breadth, and the conditions attached to its acceptance free from any which, in the opinion of the Imperial Government, would be prejudicial to Chinese interests, they would be prepared to accept it if formally offered them.

As the buffer State will, on its northern side at least, necessarily be conterminous with Kiang Hung—the southern limit of which has never been clearly defined—the Imperial Government think that, apart from the question of its control, China ought to be represented on any Commission which may be appointed to delimitate it; and that reasons of expediency would seem to recommend the adoption of the Nam-U as its eastern boundary.

Until it emerges from Meung-U, one of the territorial divisions of Kiang Hung, the Nam-U is altogether a Chinese river, and, for some distance lower down, the right bank of it still belongs to China; so, were the Nam-U taken for the eastern limit of the buffer State, and the latter given to China, the difficult task of delimitating the frontier between it and Kiang Hung would be much simplified, should a delimitation still be deemed indispensable.

I have, &c.
(Signed) SIEH.

No. 398.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, December 19, 1893.

I TRANSMIT to you herewith a copy of a note from the Chinese Minister at this Court,* expressing the readiness of his Government to join with those of England and France in whatever measures may be considered expedient with the object of securing the independence and integrity of Siam, and setting forth the views of China in regard to the proposed buffer State on the Upper Mekong.

I should wish your Excellency to take an opportunity of asking M. Casimir-Perier whether the French Government have received a similar communication from the Chinese Government, and what view they take of it.

I am, &c.
(Signed) ROSEBERY.

No. 399.

The Marquis of Dufferin to the Earl of Rosebery.—(Received December 20.)

My Lord,

Paris, December 19, 1893.

IT is announced in the press that the Commissioners selected by the French Government to "establish the project of configuration of the neutral zone of the Upper Mekong" are MM. Pavie, French Consul-General at Bangkok; Lefèvre Pourtalès, Secrétaire d'Ambassade; and Lugan, Agent of the Syndicate of Upper Laos.

I have, &c.
(Signed) DUFFERIN AND AVA.

No. 400.

The Earl of Rosebery to the Marquis of Dufferin.

My Lord,

Foreign Office, December 20, 1893.

IT has been represented to me that climatic reasons will prevent the Technical Commission, charged with the delimitation of the neutral zone between the English

and French possessions in the Indo-Chinese Peninsula, from usefully commencing its labours before the autumn of next year.

I should be glad if your Excellency would ascertain the views of the French Government in this matter.

I am, &c.
(Signed) ROSEBERRY.

No. 401.

The Marquis of Dufferin to the Earl of Rosebery.—(Received December 23.)

My Lord,

Paris, December 22, 1893.

M. JUSSEMAND, who has been acting as French Commissioner during the negotiations here for the constitution of a neutral zone between the British and French possessions in the Indo-Chinese Peninsula, has informed Mr. Phipps that for climatic reasons the French Government is of opinion that the Technical Commission agreed upon could not conveniently commence its labours until the autumn of next year.

As the delay thus proposed appears also to be in accordance with your Lordship's views, I have caused M. Jusserand to be informed that Her Majesty's Government agree to the opinion thus expressed by the French Government.

An understanding has been arrived at with M. Jusserand, on behalf of the French Government, that a date will be fixed for the assembly of the Technical Commission early next autumn.

I have, &c.
(Signed) DUFFERIN AND AVA.

No. 402.

The Earl of Rosebery to Mr. Scott.

(Telegraphic.)

Foreign Office, December 24, 1893.

IT is agreed by the French Government and ourselves that it would be useless before the autumn to proceed with the delimitation of the neutral zone.

No. 403.

The Marquis of Dufferin to the Earl of Rosebery.—(Received January 19.)

My Lord,

Paris, January 18, 1894.

I HAVE the honour to inform your Lordship that Prince Svasti, who had only just arrived in Paris, had an interview the day before yesterday with M. Casimir-Perier, the President of the Council, by special appointment, with reference to the opening of negotiations in Paris for the conclusion of the new Commercial Treaty provided for in the Franco-Siamese Treaty of the 3rd October.

I am informed that Prince Svasti was well received by M. Casimir-Perier, who did not appear at all opposed to the idea, and who stated that he hoped, after consultation with his colleagues, to be able to give him a definite answer in three or four days.

M. Casimir-Perier observed at the same time that he did not apprehend that there would be any conditions in the proposals to be submitted for the new Treaty of such a nature as to prevent the conclusion of a prompt and satisfactory arrangement.

I have, &c.
(Signed) DUFFERIN AND AVA.

The Marquis of Dufferin to the Earl of Rosebery.—(Received January 22.)

My Lord,

Paris, January 20, 1894.

I HAVE the honour to inform your Lordship that the Parliamentary Commission appointed yesterday for the examination of the Treaty concluded on the 3rd October last between the Government of the Republic and the King of Siam have given it their unanimous approval, and are in favour of its ratification.

I have, &c.

(Signed) DUFFERIN AND AVA.

The Marquis of Dufferin to the Earl of Rosebery.—(Received January 24.)

My Lord,

Paris, January 23, 1894.

WITH reference to my despatch of the 20th instant, I have the honour to inclose herewith to your Lordship, extracted from the "Journal Officiel" of this day, the Report made by M. Deloncle on laying before the Chamber the project of Law approving the Treaty between France and Siam of the 3rd October, 1893, together with the reply of M. Casimir-Perier to an observation of M. Jamard relative to the omission in M. Deloncle's Report on the Treaty of any reference to the negotiations with Great Britain for the constitution of a buffer State on the Upper Mekong.

It will be observed that the Treaty was ratified unanimously.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 405.

Extract from the "Journal Officiel" of January 21, 1894.

Dépôt du Rapport et adoption du Projet de Loi portant approbation d'un Traité avec le Siam.

M. le Président.—La parole est à M. Deloncle pour le dépôt d'un Rapport.

M. François Deloncle (Rapporteur).—J'ai l'honneur de déposer sur le bureau de la Chambre un Rapport sur le projet de Loi portant approbation du Traité conclu le 3 Octobre, 1893, avec le Siam.

Je demande l'urgence et la discussion immédiate. (Très bien ! très bien !)

M. le Président.—M. le Rapporteur demande l'urgence et la discussion immédiate ; pour permettre à la Chambre de se prononcer, j'invite M. le Rapporteur à lire son Rapport.

M. François Deloncle (Rapporteur, lisant).—Messieurs, le Traité du 3 Octobre, 1893, avec le Siam actuellement soumis à votre approbation répond à la politique maintes fois indiquée à cette tribune et sanctionnée à l'unanimité par la Chambre, le 18 Juillet, 1893, en un ordre du jour invitant le Gouvernement à prendre les mesures nécessaires pour faire reconnaître et respecter les droits de la France en Indo-Chine et exiger les garanties indispensables à la sécurité de notre Empire.

L'héroïque action de nos marins dans la Rivière de Bangkok, l'acceptation par le Siam de l'Ultimatum du 20 Juillet et des garanties complémentaires contenues dans la note de Paris du 30 Juillet, l'effet retentissant produit en Extrême-Orient par ce rapide succès de notre diplomatie, obtenu sans effusion de sang grâce aux énergiques instructions des Honorables MM. Develle et Delcassé, fermement exécutées par notre Agent à Bangkok, M. Pavie : tout concourait à préparer le terrain des négociations que notre Honorable collègue, M. Le Myre de Vilers, en mission extraordinaire auprès du Roi de Siam, devait ouvrir au mois d'Août pour la conclusion du Traité définitif qui vous est soumis.

Néanmoins, nous devons un hommage particulier à l'habileté de notre Plénipotentiaire qui a su faire insérer au Traité de nouvelles clauses consacrant d'une manière plus puissante encore que la formule de l'Ultimatum la reconnaissance de nos droits

dans le Bassin du Mékong et mettant fin pour toujours aux empiètements du Siam sur les territoires soumis à notre Protectorat.

L'Annam et le Tonkin sont remis en possession de la rive gauche du Mékong jusqu'à la frontière de Chine; la navigation du fleuve est placée sous notre police unique. Seuls nous avons le droit d'y entretenir des bâtiments armés; les eaux du fleuve et du Grand-Lac deviennent exclusivement Françaises; le Siam rasera les fortifications et n'installera plus de poste ni établissement militaire dans les Provinces de Battambang et de Siemreap, et dans une zone de 25 kilom. sur la rive droite du Mékong; cette zone et les Provinces de Battambang et de Siemreap seront affranchies de tout droit de douane jusqu'à la conclusion d'un nouveau Traité de Commerce; les assassins de nos Agents et de nos soldats seront châtiés; enfin, le Gouvernement Français continuera à occuper Chantaboun jusqu'à l'exécution pleine et entière de tous les engagements contractés par le Siam vis-à-vis de nous.

Il n'est pas besoin de faire ressortir l'importance de ces stipulations, qui nous donnent toutes les réparations nécessaires, assurent le respect absolu de nos droits et nous offrent des garanties suffisantes; pourvu, toutefois, qu'elles soient fidèlement observées par les autorités Siamoises.

Votre Commission vous propose, à l'unanimité, d'approuver le Traité du 3 Octobre, 1893, avec le Siam. (Très bien! très bien!)

M. le Président.—M. le Rapporteur demande l'urgence et la discussion immédiate. Je consulte la Chambre.

(La Chambre, consultée, prononce l'urgence. Elle ordonne ensuite la discussion immédiate.)

M. le Président.—Personne ne demande la parole?

Je consulte la Chambre sur la question de savoir si elle entend passer à la discussion de l'Article Unique.

(La Chambre, consultée, décide qu'elle passe à la discussion de l'Article Unique.)

M. le Président.—La parole est à M. Gamard.

M. Gamard.—Lors de la discussion qui a eu lieu dans les Bureaux, une question qui m'a paru avoir une grande importance a été soulevée: c'est celle qui concerne la constitution d'un État-tampon entre les possessions Françaises et le Siam.

M. Casimir-Perier (Ministre des Affaires Étrangères, Président du Conseil).—Je demande la parole.

M. Gamard.—Or je n'ai rien vu dans le Rapport concernant cette question. Je serais bien aise de savoir si, lorsque les négociations avec le Siam et avec les Gouvernements qui peuvent s'y intéresser seront arrivées à bonne fin, il est dans l'intention du Gouvernement de consulter la Chambre sur la constitution de cet État-tampon.

J'estime qu'il peut y avoir là l'abandon, dans une certaine mesure, de la souveraineté de l'État Français, et je demande que le Gouvernement veuille bien nous dire quelles sont ses intentions à cet égard.

M. le Président.—La parole est à M. le Président du Conseil.

M. Casimir-Perier (Président du Conseil, Ministre des Affaires Étrangères).—La question que vous est soumise, Messieurs, est celle de la ratification du Traité avec le Siam, et le point de savoir s'il y a lieu de créer ultérieurement une zone neutre ou un État-tampon n'a rien à voir ni à faire ici. (Très bien! très bien!)

Cette question d'une zone neutre ou d'un État-tampon est à examiner avec l'Angleterre, et vous êtes simplement saisis aujourd'hui d'une question à régler avec le Siam.

Les documents qui ont été récemment publiés vous indiquent où en est l'affaire de la zone neutre ou de l'État-tampon: on procède à une étude géographique, et, avant qu'elle soit terminée, ici comme ailleurs, je n'ai rien à dire. (Très bien! très bien!)

M. le Président.—Je donne lecture de l'Article Unique:—

“Article Unique.—Le Président de la République est autorisé à ratifier, et, s'il y a lieu, à faire exécuter le Traité conclu, le 3 Octobre, 1893, entre le Gouvernement de la République Française et celui de Sa Majesté le Roi de Siam.

“Une copie authentique de cet acte sera annexée à la présente Loi.”

Personne ne demande la parole?

Je mets aux voix cet Article.

(L'Article Unique, mis aux voix, est adopté.)

M. le Rapporteur.—A l'unanimité!

No. 406.

The Marquis of Dufferin to the Earl of Rosebery.—(Received February 2.)

My Lord,

Paris, January 31, 1894.

WITH reference to my despatch of the 18th instant, I have the honour to report to your Lordship that M. Hanotaux, Minister Plenipotentiary and Director of the Commercial and Consular Departments at the Ministry for Foreign Affairs, has been appointed to represent France in the negotiations to be opened in Paris for the conclusion of the new Commercial Treaty provided for in the Franco-Siamese Treaty of the 3rd October, 1893.

It is also announced that Siam will be represented by Prince Svasti and Prince Vhadana, Siamese Minister in Paris.

I have, &c.

(Signed) DUFFERIN AND AVA.

No. 407.

The Earl of Rosebery to Sieh Ta-jén.

M. le Ministre,

Foreign Office, February 2, 1894.

I DULY received, and have given careful attention to, the note which you did me the honour to address to me on the 16th December, expressing the interest taken by your Government in the maintenance of the independence and territorial integrity of Siam, and their readiness to join in any measure which the Governments of Great Britain and France may take with the view of securing these objects.

Her Majesty's Government have received this statement with much satisfaction, and have taken due note of the views and intentions of the Government of China in this respect.

They also take note of the views of your Government with regard to the neutral State which it is intended to establish between the British and French possessions on the Upper Mekong. They believe, however, that it will be more judicious to defer bringing forward any definite proposals on these subjects until the conditions agreed to by Siam in the recent Convention between that country and France have been completely executed. This will probably be the case at no very distant date, as the only condition remaining unfulfilled appears to be that relating to the trial of the persons charged with the murder of M. Groscurin, and arrangements are now being made for the trial. That chapter will then, it is to be hoped, have been closed.

I have, &c.

(Signed) ROSEBERY.

No. 408.

The Marquis of Dufferin to the Earl of Rosebery.—(Received February 5.)

My Lord,

Paris, February 3, 1894.

I HAVE the honour to inclose herewith to your Lordship, extracted from the "Journal Officiel" of this day, the text of the Law approving the Franco-Siamese Treaty signed on the 3rd October last, together with an account of the discussion and adoption by the Senate of the "Projet de Loi" carried into effect thereby.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure 1 in No. 408.

Extract from the "Journal Officiel" of February 3, 1894.

Loi portant approbation du Traité conclu le 3 Octobre, 1893, entre le Gouvernement de la République Française et le Gouvernement de Sa Majesté le Roi de Siam.

LE Sénat et la Chambre des Députés ont adopté,

Le Président de la République promulgue la Loi dont la teneur suit :—

Article Unique.—Le Président de la République est autorisé à ratifier et, s'il y a lieu, à faire exécuter le Traité conclu, le 3 Octobre, 1893, entre le Gouvernement de la République Française et le Gouvernement de Sa Majesté le Roi de Siam.

Une copie authentique de cet acte sera annexé à la présente Loi.

La présente Loi, délibérée et adoptée par le Sénat et par la Chambre des Députés, sera exécutée comme loi de l'État.

Fait à Paris, the 2 Février, 1894.

(Signé) CARNOT.

Par le Président de la République :

Le Président du Conseil,

Ministre des Affaires Étrangères,

(Signé) CASIMIR-PÉRIER.

Inclosure 2 in No. 408.

Extract from the "Journal Officiel" of February 3, 1894.

Dépôt du Rapport sur le Projet de Loi relatif au Traité avec le Siam.

M. le Président.—La parole est à M. de Marcère.

M. de Marcère.—J'ai l'honneur de déposer sur le Bureau du Sénat un Rapport fait au nom de la Commission chargée d'examiner le projet de Loi, adopté par la Chambre des Députés, portant approbation du Traité conclu le 3 Octobre, 1893, entre le Gouvernement de la République Française et le Gouvernement de Sa Majesté le Roi de Siam.

J'ai l'honneur de demander au Sénat, d'accord avec le Gouvernement, de vouloir bien déclarer l'urgence, qui a déjà été votée par la Chambre des Députés.

M. le Président.—Je consulte le Sénat sur l'urgence qui est demandée par la Commission, d'accord avec le Gouvernement.

Il n'y a pas d'opposition ?

L'urgence est déclarée.

Voix nombreuses.—Lisez ! lisez !

M. le Président.—On demande la lecture du Rapport.

Il n'y a pas d'opposition ?

La parole est à M. de Marcère pour la lecture de son Rapport.

M. le Rapporteur.—Messieurs, le Sénat est saisi du projet de Loi, voté par la Chambre des Députés dans sa séance du 20 Janvier, portant approbation du Traité conclu le 3 Octobre, 1893, entre le Gouvernement de la République Française et le Gouvernement de Sa Majesté le Roi de Siam.

Ce Traité devant être ratifié dans le délai de quatre mois à partir du jour de la signature le 3 Octobre, 1893, le Sénat comprendra qu'il est urgent de voter la ratification qui lui est demandée aujourd'hui même.

Il lui est d'ailleurs facile de se rendre à cette nécessité, s'il considère les avantages de ce Traité, dans lequel la France obtient toutes les satisfactions morales et matérielles réclamées dans les ultimatums adressés au Siam les 20 et 30 Juillet derniers.

Ainsi que le constate le Rapport fait à la Chambre, l'Annam et le Tonquin sont remis en possession de la rive gauche du Mékong jusqu'à la frontière de Chine ; la navigation du fleuve est placée sous notre police unique.

Seuls, nous avons le droit d'y entretenir des bâtiments armés ; les eaux du fleuve et du grand lac deviennent exclusivement Françaises ; le Siam rasera les fortifications

et n'installera plus de port ni d'établissement militaires dans les Provinces de Battambang et de Tiem-Reap, et dans une zone de 25 kilom. sur la rive droite du Mékong : cette zone et les Provinces de Battambang et de Tiem-Reap seront affranchies de tout droit de douane jusqu'à la conclusion d'un nouveau Traité de Commerce ; les actes de violence commis contre nos agents et contre nos soldats seront punis ; enfin le Gouvernement Français continuera à occuper Chantaboun jusqu'à l'exécution pleine et entière de tous les engagements contractés par le Siam envers nous.

La Commission, en proposant au Sénat de donner sa ratification à ce Traité et à la Convention qui en est la suite, ne saurait passer sous silence la rapidité et la décision avec lesquelles l'action militaire et les négociations diplomatiques ont été conduites. Le Sénat s'associera, elle l'espère, aux sentiments de satisfaction qu'elle a éprouvés et qu'elle adresse à tous ceux qui ont pris part à ces événements.

Nous avons l'honneur, en conséquence, de vous proposer d'adopter le projet de Loi qui vous est soumis par le Gouvernement.

M. le Président.—Je consulte le Sénat sur la discussion immédiate qui est demandée par vingt de nos collègues dont voici les noms : MM. Béral, Clamageran, Lecler, Le Monnier, Tézenas, Alfred Biré, de Rozière, de Casabianca, Silhol, Raymond, Jules Labiche, Cordelet, Velten, Diancourt, Poirier (Marne), Chovet, Baudens, Xavier Blanc, plus deux signatures illisibles.

(La discussion immédiate est ordonnée.)

M. le Président.—Personne ne demande la parole pour la discussion générale ? . . .

Je consulte le Sénat sur la question de savoir s'il entend passer à la discussion de l'Article Unique du projet de Loi.

Il n'y a pas d'opposition ? . . .

Je donne lecture de cet Article.

Article Unique.—Le Président de la République est autorisé à ratifier et, s'il y a lieu, à faire exécuter le Traité le 3 Octobre, 1893, entre le Gouvernement de la République Française et le Gouvernement de Sa Majesté le Roi de Siam.

“ Une copie authentique de cet acte sera annexée à la présente Loi.”

Je mets aux voix l'Article Unique.

(Le projet de Loi est adopté.)

No. 409.

Mr. Scott to the Earl of Rosebery.—(Received February 23.)

(Telegraphic.) Bangkok, February 23, 1894.

I HAVE the honour to state that the 24th instant is the date fixed for the commencement of the sitting of the Siamese Court for the trial of the alleged murderers of Groscurin. Discussion as to the method of procedure and other minor matters have caused much delay. British counsel have been engaged on behalf of the accused, and an offer has been made by the Siamese Government to afford a similar advantage, at their own expense, to the prosecutor. Beyond one sworn deposition and one statement, there is no evidence for the prosecution, and no witnesses have arrived here. The appearance in court of witnesses for the prosecution, together with the production of all evidence relating to the case, which is demanded by the counsel for the defence, is ridiculed by the French as a wanton waste of time. No order on this demand has as yet been made by the Siamese presiding Judge. Either great delay will, I fear, be incurred, or the trial will end in failure.

No. 410.

Mr. Scott to the Earl of Kimberley.—(Received March 18.)

(Telegraphic.) Bangkok, March 17, 1894.

GROSGURIN case. I have the honour to report that the accused in this case has been acquitted. The re-trial of the case at Saigon is being urgently pressed by the French Representative here.

The Earl of Kimberley to the Marquis of Dufferin.

My Lord,

Foreign Office, April 25, 1894.

M. D'ESTOURNELLES, at an interview with me to-day, informed me that he was desired by M. Casimir-Perier to call my attention to the statements of Lord Rosebery and Sir E. Grey, that the French Government had promised that Chantaboon should be evacuated as soon as the final Judgment had been given in the Groscurin case.

There appeared to M. Casimir-Perier to be some misunderstanding on their part, as the evacuation of that place was dependent on the fulfilment of all the stipulations of the Convention, in accordance with Article VI of that instrument.

I said that I took note of this communication, and would examine what had passed on the subject between the British and French Governments. I would remark, however, that, according to the information we had received, the Siamese Government had already fulfilled all its obligations under the Convention, and nothing, therefore, remained except to dispose finally of the Groscurin case.

I am, &c.

(Signed) KIMBERLEY.

TREATY SERIES. No. 10.

1894.

CONVENTION

BETWEEN

GREAT BRITAIN AND THE UNITED
STATES

SUPPLEMENTARY TO THE

CONVENTION RESPECTING BOUNDARIES
OF JULY 22, 1892
(ALASKA AND PASSAMAQUODDY BAY).

Signed at Washington, February 3, 1894.

[*Ratifications exchanged at Washington, March 28, 1894.*]

Presented to both Houses of Parliament by Command of Her Majesty.
April 1894.

L O N D O N :

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[C.—7311.]

CONVENTION BETWEEN GREAT BRITAIN
AND THE UNITED STATES SUPPLEMEN-
TARY TO THE CONVENTION OF JULY 22,
1892, RESPECTING BOUNDARIES (ALASKA AND
PASSAMAQUODDY BAY).

Signed at Washington, February 3, 1894.

[Ratifications exchanged at Washington, March 28, 1894.]

THE Governments of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and of the United States of America, being credibly advised that the labours of the Commission, organized pursuant to the Convention which was concluded between the High Contracting Parties at Washington July 22, 1892, providing for the delimitation of the existing boundary between Her Majesty's possessions in North America and the United States, in respect to such portions of said boundary-line as may not, in fact, have been permanently marked in virtue of Treaties heretofore concluded, cannot be accomplished within the period of two years from the first meeting of the Commission as fixed by that Convention, have deemed it expedient to conclude a supplementary Convention extending the term for a further period, and for this purpose have named as their respective Plenipotentiaries :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, his Excellency Sir Julian Pauncefote, G.C.B., G.C.M.G., Ambassador Extraordinary and Plenipotentiary of Great Britain; and

The President of the United States, Walter Q. Gresham, Secretary of State of the United States;

Who, after having communicated to each other their respective Full Powers, which were found to be in due and proper form, have agreed upon the following Articles :—

ARTICLE I.

The third paragraph of Article I of the Convention of July 22, 1892, states that the respective Commissions shall complete the survey and submit their final Reports thereof within two years from the date of their first meeting. The Joint Commissioners

held their first meeting November 28, 1892; hence the time allowed by that Convention expires November 28, 1894. Believing it impossible to complete the required work within the specified period, the two Governments hereby mutually agree to extend the time to December 31, 1895.

ARTICLE II.

The present Convention shall be duly ratified by Her Britannic Majesty and by the President of the United States of America, by and with the advice and consent of the Senate thereof; and the ratifications shall be exchanged at Washington at the earliest practicable date.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention, and have hereunto affixed our seals.

Done in duplicate at Washington, the third day of February, 1894.

(L.S.)

JULIAN PAUNCEFOTE

(L.S.)

W. Q. GRESHAM.

REPORT
ON THE
FINANCES, ADMINISTRATION, AND
CONDITION OF EGYPT,
AND THE
PROGRESS OF REFORMS.

[In continuation of "Egypt No. 3 (1893):" C. 6957.]

*Presented to both Houses of Parliament by Command of Her Majesty.
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Report on the Finances, Administration, and Condition of Egypt, and the Progress of Reforms.

[In continuation of "Egypt No. 3 (1893) : " C. 6957.]

No. 1.

Lord Cromer to the Earl of Rosebery.—(Received March 19.)

My Lord,

Cairo, March 9, 1894.

I HAVE the honour to submit my Annual Report on the progress made in the various Administrative Departments of the Egyptian Government during the year 1893.

1. Finance.

The estimates for the year 1893 were as follows :—

								£ E.
Revenue	..	..	..	..	..	..	..	10,010,000
Expenditure	..	..	..	..	..	..	..	9,550,000
Surplus	..	..	..	..	..	..	..	460,000

The final accounts, which are now closed, show the following results :—

								£ E.
Revenue	..	..	..	..	..	..	..	10,321,000
Expenditure	..	..	..	..	..	..	..	9,601,000
Surplus	..	..	..	..	..	..	..	720,000

The surplus was therefore £ E. 260,000 in excess of the estimate.

The excess of revenue over the estimates, amounting in all to £ E. 311,000, was distributed over all the chapters of the Budget. Thus the direct taxes yielded £ E. 23,000, the indirect taxes £ E. 160,000, the Railways, Telegraphs, and other Administrations, classed under the general head of "Revenus des Administrations de Recettes," yielded £ E. 54,000, and the "Recettes des Services Administratifs," being principally fees collected by the Tribunals, £ E. 60,000 more than the estimates.

The excess of expenditure over the estimate, amounting to £ E. 51,000, was due to the cost of the Army of Occupation being increased from £ E. 85,000 to £ E. 137,000. This excess expenditure was the natural consequence of the reinforcement of the British garrison, which took place about a year ago. In 1894 this charge will be again reduced to £ E. 85,000.

I turn to the estimates for the year 1894.

In spite of the large surplus, amounting to £ E. 720,000, which accrued in 1893, the actual surplus with which the Egyptian Government had to deal in framing the estimates for 1894 only amounted to £ E. 119,000. The balance, amounting to £ E. 601,000, was either due to the economies resulting from the partial conversion of the debt, or had to be paid to the general reserve fund, which is in the hands of the Commissioners of the Debt. In either case, the money is not at the disposal of the Egyptian Government for purposes of current finance.

A noteworthy feature of the Budget of 1894 is that the last payment on account of interest in the Suez Canal shares held by the English Government will be made on the 1st July. The annual charge on this account has for the last twenty years been £ E. 194,000. It is not, however, to be supposed that, subsequent to the 1st July, the whole of the economy which will thus be effected will be at the disposal of the Egyptian Government. Such is not the case. When, a few years ago, the French Government agreed to £ E. 150,000 being added to the administrative expenditure of the Egyptian Government in order to partially abolish the corvée system, they stipu-

lated that this arrangement should only last until the payment of interest on the Suez Canal shares ceased. I should have to enter into the details of one of the most cumbersome systems of accounts that has ever been devised to show precisely how the cessation of the Suez Canal payments—the assumption, on the other hand, by the Egyptian Government of the full charge of £ E. 150,000 on account of the *corvée*, and other intricacies of the system—affect the Egyptian Budget. It will, perhaps, be sufficient, if I merely state the result, which is as follows—that, by reason of the cessation of the Suez Canal payments, that portion of the Budget which is at the free disposal of the Egyptian Government will be relieved to the extent of £ E. 50,000 during the current year, and that the relief will amount to £ E. 119,000 in 1895 and subsequent years.

Starting, therefore, with a surplus of £ E. 119,000 in 1893, and with an economy of about £ E. 50,000 by reason of the cessation of payments on account of the interest on the Suez Canal shares in the middle of the year, the Egyptian Government, in framing the Budget for 1894, has been able to introduce a variety of minor but very useful reforms, which I will now enumerate:—

1. £ E. 90,000 a-year have been taken off the land tax in Upper Egypt. During the last five years the assessments to the land-tax have been reduced by £ E. 427,000 a-year, irrespective of remissions of arrears.

2. The octroi duties have been abolished in eleven provincial towns, in which the cost of collection was excessive in proportion to the receipts. The gross loss of revenue resulting from this change will be £ E. 13,000 a-year, for which, however, some partial compensation will be found in a reduction of establishments.

3. It is satisfactory to note that, now that most of the main reforms necessary to insure stability to the financial situation of Egypt have been carried into execution, it has become possible to deal gradually with the numerous minor abuses with which the fiscal system was formerly honeycombed. One of these abuses consisted in the fact that, although the Government levied a duty on the slaughter of animals (*"droit d'abatage"*) throughout the country, in many of the provincial towns no slaughter-houses were provided. A step has now been taken towards applying a remedy to this state of things. A grant of £ E. 5,000 a-year has been made towards the construction of slaughter-houses in towns where none exist.

4. The grant for public instruction has been increased by £ E. 12,000 a-year, thus bringing the total annual grant up to £ E. 104,000. The Legislative Council, in the note which they recently addressed to the Egyptian Government, rightly dwelt on the desirability of extending the educational system. Provided the money be well spent, there can be no question as to the soundness of this view.

5. Some two years ago the Egyptian Government prepared a scheme for the creation of Municipalities in the provincial towns of Egypt. Owing chiefly to the fact that it was proposed to tax Europeans, the scheme required the unanimous assent of the Powers. That assent was not obtained. The Egyptian Government, therefore, looking to the practical points at issue, has now decided to grant an additional sum of £ E. 10,000 a-year to be spent on improvements in nine of the principal towns in Egypt. Small Commissions will be appointed in each town to draw up the local Budgets. Should this system work well, it may perhaps be possible to extend it to other towns.

6. The incursions of the Dervishes last year showed the desirability of keeping a portion of the Egyptian force stationed in the valley of the Nile fully equipped with the transport necessary to enable them to move out at once and protect the oases lying to the west of the Nile. An additional grant of £ E. 5,000 a-year has been made to the War Office in order to insure this object.

7. The police force has also been increased at a cost of £ E. 3,640 a-year.

8. An additional grant of £ E. 5,000 has also been provided for the maintenance of prisoners. The Director-General of Prisons has frequently drawn attention to the abuses which arise under the existing system. In many cases, the relations and friends of the prisoners are obliged to provide for their maintenance. The grant now made, though a step in the right direction, is altogether insufficient to remove these abuses entirely.

The charge for non-effective services has for many years past proved a heavy burthen to the Egyptian Treasury. Of recent years great efforts have been made to reduce it; but in 1893 no less than £ E. 433,000 was paid on account of pensions and indemnities. It is unsatisfactory to note that the estimate for 1894 exceeds the actuals of 1893 by £ E. 10,000. I have inquired into the reasons of this anticipated increase, but it is perhaps unnecessary that I should dwell on them in detail.

In my Report of last year (*"Egypt No. 3, 1893"*) I dwelt on the redundant

cash balance, which, in one form or another, belonged to the Egyptian Government. On the 31st December, 1892, the amount of this balance was as follows :—

							£ E.
General reserve fund	..	..	..	..	..	..	1,958,000
Special reserve fund	..	..	..	..	..	..	777,000
Conversion economies	..	..	..	..	..	..	656,000
Total	..	..	..	..	..	..	3,391,000

On the 31st December, 1893, the figures stood as follows :—

							£ E.
General reserve fund	..	..	..	..	..	..	1,996,000
Special reserve fund	..	..	..	..	..	..	533,000
Conversion economies	..	..	..	..	..	..	1,025,000
Total	..	..	..	..	..	..	3,554,000

The total cash balance has, therefore, increased by £ E. 163,000 in the course of last year.

It will be observed that the special reserve fund, which is at the disposal of the Egyptian Treasury, was reduced during the year 1893 by about £ E. 244,000, which was mainly applied to facilitating the purchase by pensioners and others of Domains land. The decision to diminish the amount of this fund was, in my opinion, a wise one; but it should not be allowed to fall below £ E. 500,000, at which figure it now approximately stands. The Egyptian Treasury requires a working cash balance of about that sum for purposes of current finance.

The general reserve fund, amounting to £ E. 1,996,000, is in the hands of the Commissioners of the Debt. When the figure exceeds £ E. 2,000,000 the surplus should, under the existing law, be applied to the extinction of debt. There is, of course, much to be said in favour of diminishing the debt, and I trust that if the conversion of the Unified Debt takes place, a portion of the economy will be utilized in order to create a sinking fund. But, in view of the many requirements of Egypt, I should prefer to see a portion of the general reserve fund devoted to the development of the country. Even without any help from this fund considerable progress is being made in reducing the debt. During the year 1893 debt to the extent of £ E. 898,000 was paid off. This figure was exceptionally high, owing to the unusually large sales of Domains and Daïra land. But in previous years the sums devoted to sinking fund were by no means inconsiderable. On the 1st January, 1886, the total nominal capital of the Egyptian Debt stood at £ E. 106,188,000. Subsequent to the conversion of the Preference Stock, which necessarily involved an increase to the capital, the debt stood at £ E. 109,764,000. On the 31st December, 1893, it stood at £ E. 105,475,000, or £ E. 713,000 below the figure of 1886.

Of the total general reserve fund, amounting to £ E. 1,996,000, £ E. 787,000 has been pledged to the construction of railways and other objects of public utility. My personal opinion is that another £ E. 500,000 at least might be utilized for extraordinary works without any financial risk in so far as the bondholders are concerned, and to the great advantage of the people of Egypt.

The accumulated economies resulting from the conversion of the debt now amount to £ E. 1,025,000. Various projects have from time to time been put forward with a view to the employment of this fund, but they have all failed to obtain the unanimous concurrence of the Powers, without which the money cannot be touched. As the financial condition of the country has improved, it has fortunately been found possible to carry out some of these projects—and notably the reduction of the land-tax—without trenching on the Conversion economies. It is now proposed to utilize the money for the construction of reservoirs in Upper Egypt. I cannot as yet say anything definite as to the probability of the acceptance of this scheme by the Powers.

From a financial point of view it is, of course, wholly indefensible that this large sum of money should be locked up and should merely be allowed to accumulate at interest, but it is useless to consider the question wholly on its financial merits. The difficulties which have stood in the way of employing the money are political, not financial.

I may here mention that in the Land Revenue Department many useful reforms have been carried out in the past year. The transcription of transfers of land in the

land-tax registers has been greatly facilitated, and the operation is now effected within a month of the change of property, whereas formerly months, and sometimes years, used to elapse before the new proprietor was inscribed on the register of taxpayers. New and simple regulations have been laid down for the annual measurement of the islands, the area of which is constantly changing under the action of the Nile. Steps have been taken to reduce as much as possible the expenses of seizures made for non-payment of taxes; these expenses used sometimes to exceed the sum for which the seizure had been made. A new evaluation of the house-tax has been made throughout the whole of Egypt. Finally, a law of great importance as regards the future development of the land-tax was prepared by the Ministry of Finance during the past year, and has just received the approval of the Legislative Council and the Council of Ministers. Hitherto uncultivated lands which are exempt from taxation have been liable to an annual examination by the local officials, with a view to determine whether they should be taxed again. In practice, this system led to many abuses and to frequent complaints on the part of the landowners. The new law abolishes these examinations, and establishes a scale of taxation under which such lands will be automatically taxed at a progressive rate, which is at first fixed very low, but which gradually rises to the general rate of the neighbourhood. In this manner, the maximum of encouragement is offered to the proprietors of uncultivated and untaxed lands to bring them under cultivation, while the interests of the Government are no longer left in the hands of minor and often incompetent agents.

With the exception, therefore, of the redundant cash balances, which constitute a blot on the Egyptian financial system—for which, however, the Egyptian Government is in no way responsible—the condition of Egyptian finance may be pronounced to be eminently satisfactory. The revenue is elastic; the expenditure is under effective control. The burthen of taxation has been largely reduced of late years. Remedies are being gradually and prudently applied to such abuses as still exist. The debt is being diminished.

I have only to add that, for the first time since its creation, the Legislative Council exercised the right which it possesses under the Organic Law of the 1st May, 1883, to discuss the Budget in some detail. A lengthy note was presented by the Council to the Government last December, which was answered by the President of the Council of Ministers and by the Financial Adviser. I need not enter into any discussion in respect to these documents, which have already been published. It would be unjust to judge harshly of what are practically almost the first utterances of a new institution composed for the most part of members who are but little experienced in the treatment of public affairs, but I may say that, although some few of the observations of the Legislative Council were of a nature to merit the attention which I cannot doubt they will receive, it is clear that in respect to others the opinions expressed by the Council were based on an inadequate study of the facts with which they had to deal.

2. Salt Department.

I mentioned in my Report of last year that in January 1892 the price of salt was reduced by 40 per cent., and that the gross revenue, which was originally estimated at £ E. 233,000, fell, in consequence of this reduction, to £ E. 179,000. The loss of revenue, therefore, was only 23 per cent. as compared with the original estimate. The balance was recouped by increased consumption.

The following figures show the revenue and expenditure of the Salt Department during the last two years:—

	1892.	1893.
	£ E.	£ E.
Revenue	179,000	185,000
Expenditure .. .	49,000	48,000
Net revenue	130,000	137,000

The net revenue of 1893 was, therefore, £ E. 7,000 in excess of that of 1892; 45,300 tons of salt were sold as compared with 39,800 tons in 1892.

Rough salt in abundance may be picked up in the desert, and is smuggled into the Valley of the Nile. When the new Administration was formed, vigorous measures were taken to put a stop to this system of smuggling. Domiciliary visits were made by the inspectors of the Salt Department in the villages bordering on the desert with a view to searching for contraband salt. The result, without doubt, was to check smuggling, and thus increase the revenue. The system was, however, viewed with great disfavour by the provincial authorities, who failed to co-operate cordially with the officials of the Salt Department. The Egyptian Government has, therefore, decided that no further domiciliary visits shall be made by the inspectors of the Salt Department, but that this duty shall, as heretofore, be performed by the provincial authorities.

In view of the loss of money which this administrative change is likely to involve, the revenue of the Salt Department for 1894 has been estimated at £ E. 10,000 less than the actuals of 1893.

3. *Domains Administration.*

Considerable progress was made in paying off the Domains Loan in the course of last year; 33,609 acres of land were sold for about £ E. 736,000, a sum £ E. 30,000 in excess of the estimated value of these lands entered in the official catalogue. The outstanding capital of the loan has now been reduced to £ E. 4,123,000. The area of the estates still unsold is 259,482 acres.

These large sales have naturally resulted in a corresponding reduction in the staff of the Administration. During the year 1893, it was found possible to dispense with the services of 997 employés.

The conversion of the Domains Loan from a 5 per cent. to a $4\frac{1}{2}$ per cent. stock, which took place last year, effected an economy of about £ E. 34,000 a-year. It is to be regretted that this money cannot be applied to the reduction of the Domains deficit, which is payable by the Egyptian Government. Under existing international arrangements, however, the money is held by the Commissioners of the Debt until such time as the unanimous assent of the Powers can be obtained as to the method of its employment.

In the Budget for 1894 the Egyptian Government make provision to the extent of £ E. 90,000 for the deficit of the Domains during the year 1893, which is payable in April 1894. The actual deficit of 1893, so far as can be at present ascertained, will not exceed £ E. 54,000.

The yield of cotton on the lands cultivated direct by the Commissioners in 1893 was 456 lbs. per acre. This is considerably below the figures of 1892, which was 525 lbs. per acre, but it is above the average of the last five years, which was only 374 lbs. per acre; 1892 was an exceptionally good year. The falling-off in 1893 was partly due to the damage done by worms, but more to the fact that the abnormally wet and cold weather in the spring delayed the preparation of the land, and, in the poorer soils, totally prevented the germination of the seed.

On the other hand, the cereal crops in 1893 gave the largest yield obtained since the creation of the Domains Administration.

I have on previous occasions alluded to the useful work performed by the Domains Administration in introducing agricultural machinery into Egypt. The four threshing machines imported from England in previous years gave very satisfactory results. Ten more were, therefore, purchased in 1893.

I am informed that the advantages to be derived from this class of machinery have been so thoroughly recognized, that several other large proprietors have followed the example of the Domains Administration, and that upwards of thirty of these machines were at work in various parts of Egypt during the harvest of 1893.

4. *Daïra Administration.*

In my last annual Report I explained how that after many years of deficits, which in 1886 amounted to no less than £ E. 261,000, the Daïra Administration showed a surplus amounting to £ E. 46,000 in the year 1891.

The final accounts of the year 1892, which were closed on the 31st December, 1893, showed a surplus of £ E. 92,000.

The year 1893 gave promise of yielding results greatly in excess of anything previously recorded or anticipated. The area planted with sugar-cane was larger than

in any previous year, and the crop had nearly reached maturity under the most favourable conditions when, on two consecutive nights in January 1893, frost fell. Such an occurrence had not taken place since 1880. The consequences of these two nights of frost were twofold. They diminished the yield of sugar-cane by about 5 per cent., but the greatest loss resulted from the chemical alteration produced in the saccharine richness of the canes. Although the treatment of the canes at the factories was identically the same in 1893 as it had been in 1892, the extraction of sugar crystal was 6 per cent. less in the former than in the latter year, and of sugar syrups it was fully 20 per cent. less. Fortunately, some compensation for this loss was found in the higher prices which ruled for sugar, enabling the Daïra to realize its produce about 10 per cent. better than in 1892.

Thus, notwithstanding adverse circumstances affecting the crop, the year 1893 will probably yield a surplus of about £ E. 150,000.

The prospects for 1894 are also good. The Budget shows an estimated surplus of £ E. 146,000.

The Council of the Daïra continues to carry out its policy of realizing such of its lands as lie outside the range of its factories. The general well-being of the agricultural class has so increased the demand for land, that the Administration is enabled to obtain very satisfactory prices for these lands. In 1893, it sold 30,670 acres in twenty-four lots, all purchased by natives, for £ E. 152,000. The average price realized represents fully twenty-three years' purchase of the net revenues during the preceding five years.

5. Trade and Customs.

The commerce of Egypt has not undergone any considerable change in 1893 as compared with the years immediately preceding.

The value of the trade, so far as can be at present ascertained, was :—

									£ E.
Exports	..	..	..	..	..	..	..	..	12,790,000
Imports	..	..	..	..	..	..	..	..	8,718,000
Total	..	..	..	..	..	..	..	..	21,508,000

The figures for the three years 1890 to 1892, inclusive, give an annual average of—

									£ E.
Exports	..	..	..	..	..	..	..	..	13,030,000
Imports	..	..	..	..	..	..	..	..	8,820,000
Total	..	..	..	..	..	..	..	..	21,850,000

As compared with 1892, the exports in 1893 show a diminution of £ E. 552,000.

The decrease in the value of the cotton exported amounted to £ E. 307,000. The cotton crop was much later than usual, and appears to have been kept back in the hope of obtaining better prices. Thus, the quantities exported from September to December 1893, inclusive, were less by 640,000 cantars than the total for the same period in 1892. The season's crop is estimated to reach 4,800,000 cantars, being 290,000 cantars less than the last one. The falling-off in the total value would have been much greater, therefore, than £ E. 307,000,* had it not been for a slight improvement in price in 1893.

The exportation of cotton to Russia has steadily increased, but it is now threatened by heavy import duties. The exportation to America, which has been also very considerable, will now probably diminish, as the new American Tariff has modified the former prohibitive rates on English fine-spun yarns, for which Egyptian cotton is used, and the exportation will be again diverted to England.

Of the cereals, wheat, maize, and cotton-seed make a total deficiency of £ E. 350,000, and beans and lentils nearly £ E. 40,000 more. There was, however, a fair increase (£ E. 72,000) in the exports of onions and rice.

The quantity of sugar exported was about the same as in 1892, but an improvement in price yielded an increase in the total value of £ E. 56,281.

* The average price of cotton per cantar in the period from September to December 1892 was P.T. 175. During the same period in 1893 it was P.T. 187½.

Although the imports show a falling-off of £ E. 372,700 as compared with the total for 1892, there is no reason to infer that the diminution is due to any cause affecting the progressing prosperity of the country. Instances may, indeed, be cited which point rather to a continued improvement in the condition of the country. Thus, the decrease in the imports under the heads of "Animals" and "Animal Products" may be accounted for in great part by the increase in the breeding of sheep and cattle, and in the manufacture of dairy produce. The development in the manufacture of soap and oils would, in like manner, account for the decreased importation of those articles, while there does not appear to be any reason to suppose that the demand for these articles, or for animals and animal food, has decreased.

As regards the cotton-seed oils, the "Huileries et Savonneries" Company of Alexandria supplied for home consumption in 1893 not less than 1,963,000 okes, of a total value of about £ E. 54,000, being more than double the amount supplied by them in 1891.

The large increase in the importation of flour of finer quality seems to point to a similar conclusion, though it must be ascribed in part to the deficit in the wheat and maize crops.

The importation of wood for building purposes and cabinet-making still continues to increase, and large quantities are sent into the interior; the villages in Upper Egypt taking a considerable portion, to be employed chiefly in building, or improving the dwellings of the fellaheen.

The principal items of decrease occur under the head of coal, about £ E. 200,000, and metals (machinery, &c.), about £ E. 140,000. The importation of large quantities of rolling-stock for the Egyptian railways raised the figures for 1892 greatly above the average, so that a great portion of the decrease under this head is only apparent. The diminution in coal imports was due chiefly to the great coal strike in England.

The Customs revenue for 1893 was as follows:—

Import and export duties ..	..	..	..	..	..	..	£ E.
Tobacco ..	..	..	..	..	..	..	756,522
							788,660
Total ..	..	..	..	..	..	..	1,545,182

The gross revenue on tobacco amounted to £ E. 809,140, the amount of drawback on tobacco exported as cigarettes being £ E. 20,480.

This drawback, which was granted in October 1891, has enabled the export trade in cigarettes to maintain its position. The cigarettes exported in 1893 numbered 140,400,000, as compared with 128,300,000 in 1892. This trade is, however, threatened by the competition of the cigarettes of the Turkish Régie, and the Egyptian manufacturers now demand that the entire import duty may be repaid on exportation.

The cost of collection of the Customs revenue, including the cost of the preventive service, is very small, being in the proportion of only $7\frac{1}{2}$ per cent. of the amount collected.

6. Post Office.

During the year ten new post-offices have been opened, and the rural post extended to thirteen new stations.

The financial results of the year were as follows:—

Revenue ..	..	..	..	..	..	..	£
Expenditure ..	..	..	..	..	..	..	116,700
							93,200
Surplus ..	..	..	..	..	..	..	23,500

Although the revenue exceeded the estimate (£ E. 112,000), it shows a diminution of £ E. 2,600 compared with that of the previous year. This falling-off in revenue is entirely confined to the transport of specie, all other branches of the service showing a satisfactory increase. It is due to two causes—the increasing use of commercial bills and cheques in the transaction of business is diminishing the quantity of specie transported through the post, and the lateness of the cotton crop has carried into the next financial year a considerable portion of the receipts which are usually derived from specie during the cotton season. In confirmation of this explanation, the exceptionally large receipts during the first month of the present year under this head

show that the revenue is recovering from the temporary decrease at the close of 1893, but it is to be anticipated that the use of instruments of credit will continue to affect this source of income.

The uniform rate of postage of P. T. 5 for inland parcels has been reduced to P. T. 3 for parcels not exceeding the weight of 1 kilog.

A Mutual Benevolent Society, the first of its kind amongst Government officials in Egypt, was recently founded for the purpose of making grants and loans to clerks and their families in cases of sickness, death, or financial need due to causes beyond their control, and more particularly to aid the lower staff, such as postmen, messengers, and servants, and their families who are not entitled to any pension from the Government. Although a voluntary Society, almost the whole staff became subscribers, and the Society has been enabled to render much timely help during the year.

7. Public Works Department.

I inclose in a separate despatch* a Memorandum, which Mr. Garstin has prepared at my request, descriptive of the principal operations conducted by the Public Works Department during the year 1893. It contains a modest record of creditable work, which has been of great benefit to the people of Egypt.

I need in this place only allude to two subjects which have more especially engaged the attention of the Public Works Department during the past year. These are (1) the Nile reservoir, and (2) the total abolition of the *corvée*.

As regards the Nile reservoir, the question at present stands as follows :—

After some years of steady work the officers of the Egyptian Public Works Department have collected a mass of information which was necessary as material before any sound opinion could be formed as to the nature of the works which it may be found desirable to undertake. I do not at all regret the delay which has taken place in dealing with this subject. In view of its importance, of the large expenditure of money which was contemplated, and of the serious consequences which might ensue were it discovered too late that any mistake had been made, I have persistently urged the necessity of dealing with this question with the utmost prudence and circumspection.

The information thus obtained has been embodied in a Report, which has been published and has also been placed at the disposal of the Commission, comprised of Sir Benjamin Baker, M. Boulé, and M. Torricelli, who are now in Egypt with a view to advising as to the best course to be pursued.

When the Commission has made its Report, it will be for the Egyptian Government to decide on what further steps should be taken. Considerations of the highest importance from the engineering, financial, and possibly the archæological point of view are involved, all of which will have to be duly weighed. For the present, it would be premature to express any opinion as to the nature of the final decision.

On one point, however, I should wish to offer a few very brief observations.

The proposal to submerge the Temple of Philæ, or to remove it from its present site, has naturally attracted much attention in England and elsewhere. This proposal is warmly supported by Mr. Willcocks and commends itself to Mr. Garstin, who, however, very clearly recognizes the objections which, from an archæological point of view, may be urged against its adoption.

It is very possible that the Report prepared by the Public Works Department, being necessarily voluminous, has not attained any very wide degree of publicity. In order, therefore, so far as is possible, to avoid any misunderstanding as to the precise nature of the opinions given by Mr. Garstin on this subject, I append to this despatch the passages of his Report in which the Philæ question is discussed. It was obviously incumbent on Mr. Garstin and Mr. Willcocks to examine the question of the Nile reservoir mainly from an engineering point of view, and I may add that, whatever be the final issue, the cordial thanks both of the Egyptian Government and of all who are interested in the welfare of Egypt are due to those gentlemen for the skill and patient industry which they have brought to bear on this difficult and important subject. They would have failed in their duty if, after having arrived at the conclusion that, from an engineering point of view, the Assouan site was the best for the construction of a dam, they had then shrunk from putting forward this proposal on the ground that it is open to archæological and artistic objections. The responsibility for deciding what weight is to be attached to objections of this nature rests not with the professional and departmental advisers of the Egyptian Government, but, in

the first instance, at all events, with the Egyptian Government itself. When the matter is, from an engineering point of view, ripe for decision, and when the question of whether it will be financially possible to execute any one of the different schemes which have at various times been put forward has been thoroughly examined—neither of which conditions have yet been fulfilled—it will, in the event of the Assouan project as it now stands being, from other points of view, considered preferable to any other, be necessary to consider what weight should be attached to the archaeological argument based on the evident undesirability of submerging or removing the Temple of Philae.

I still hope that some plan may be found for conciliating engineering necessities with the archaeological interests which are at stake. Should, unfortunately, the contrary prove to be the case, I shall not fail, when the proper time arrives, to lay before your Lordship such observations as the circumstances may appear to demand. For the time being, it seems to me unnecessary to enter into an academic discussion on an issue which has not as yet been distinctly raised.

Turning to the question of the abolition of the *corvée*, I have to remark that until a few years ago forced labour was used in Egypt for two distinct purposes, viz., first, clearing the canals of mud during the period of low Nile, and, secondly, guarding the banks from inundation during the period of high Nile. The first of these two descriptions of course was by far the greatest hardship of the two. It has now been totally abolished. The second description of *corvée* is, of course, also an evil, but, relatively speaking, one of minor importance, more especially in view of the fact that the work has to be done at a time when, the country being more or less flooded, the mass of the agricultural population cannot work on their fields.

It will be observed from Mr. Garstin's Report that, in 1893, the experiment of providing paid labour for guarding the banks during high Nile was tried on a small scale; 270 kilom. of bank were thus guarded at an average cost of 12*l.* 5*s.* per kilom.

Owing to the lowness of the flood of 1893, Mr. Garstin considers that the results of the experiment are inconclusive, and he suggests that it should be carried on for another two years.

The question of continuing the experiment is now under the consideration of the Egyptian Government.

Before leaving this branch of my subject, I would draw especial attention to Mr. Garstin's remarks, which I note with great pleasure, to the effect that "the experiment of introducing Egyptian engineers into posts of responsibility has proved, on the whole, a success."

8. Railways.

The railway receipts for the year 1893 amount to £ E. 1,619,000, as against £ E. 1,680,000 for the year 1892. This difference of £ E. 61,000 was caused by a diminution of £ E. 115,000 in the revenue from the goods traffic and the miscellaneous receipts, which was partially compensated by an increase of £ E. 53,000 in the receipts of the passenger traffic.

In my last annual Report I alluded to the very large reduction that had been made in the passenger tariff. The new tariff was based on a sliding scale varying according to the distance travelled. As the distance increased, the rate for the tariff was proportionately decreased. On the whole the changes were equivalent, for the third class, to a reduction of about 30 per cent. for the short distances, progressing up to about 50 per cent. for the longest distances.

The result of the first complete year's working under the new tariff is that the number of passengers has increased so largely that, instead of the loss of revenue which was expected, there is a very considerable increase of receipts. The number of passengers conveyed by the Egyptian railways during the last four years has been as follows:—

								£ E.
1890	..	..	..	..	..	..	..	4,696,286
1891	..	..	..	..	..	..	..	5,612,562
1892	..	..	..	..	..	..	..	7,047,295
1893	..	..	..	..	..	..	..	9,301,081

The first reduction in the tariff began to be made in 1891, and it is interesting to note how readily the Egyptian public have responded to the facilities which have been granted to them.

In the course of the year 1892 a reduction of about 50 per cent. was made in the tariff for luggage. This caused in the first few months a slight loss of revenue, but the Return for 1893 shows that the amount encashed under this head considerably exceeds that previous to the reduction.

The weight of goods transported in 1893 was 2,110,000 tons, as compared to 2,257,000 tons in 1892. The lateness of the cotton crop, which will bring a large proportion of the receipts from the transport of this product into the accounts for the year 1894, explains by far the larger part of the diminution of receipts from the goods traffic.

The working expenses of the railways in 1893 represented a proportion of 43 per cent. of the total receipts.

Sixty-two miles of line were renewed with steel rails during last year, bringing up the total renewed to 633 miles, leaving 650 miles to be renewed exclusive of sidings.

The Mansourah Railway Bridge was finished in the course of the year, and the narrow-gauge railway belonging to the Suez Canal Company was also completed.

An arrangement has been made between the Government and the Commission of the Debt by which credits have been opened which will permit the construction of about 200 miles of new lines, including two bridges over the Nile. Under this scheme the railway will be extended to Kenh in Upper Egypt, and five small lines will be laid in the Delta and the Fayoum.

9. Telegraphs.

The receipts and expenditure of this Department in 1893 compared with 1892 have been as follows :—

						1892.	1893.
						£ E.	£ E.
Receipts	..	..	..	..	..	40,000	39,000
Expenditure	..	..	..	..	..	45,000	39,000

This is the first time for several years that the receipts of this Department have covered the expenditure. This is owing to the fact, that the railways have been debited with the estimated cost of the services rendered to them by the telegraphs. In previous years, no credit was given for these services.

The receipts of the telegraphs in 1893 were less than in 1892 owing to its not having been possible to encash in the course of 1893 certain sums due by some foreign Administrations to the Egyptian telegraphs.

The number of telegrams forwarded has continued to increase in a very satisfactory manner. The figures for the last four years are as follows :—

1890	..	..	..	..	..	..	311,362
1891	..	..	..	..	..	..	544,075
1892	..	..	..	..	..	..	622,690
1893	..	..	..	..	..	..	687,225

It will be remembered that in January 1891 the tariff was reduced by more than 50 per cent.

I am glad to be able to record the following remarks which have been addressed to me by Mr. Floyer, the Director-General of the Telegraphs :—

“Technical education has reached a point where it no longer needs fostering.

“An engineer who cannot express the condition of his lines in scientific terms cannot get on. For instance, when he wishes to replace a wire, he forwards its resistance in ohms per mile as his reason. He no longer says it is old or rusty.

“I have received during the year three proposals for new telegraph instruments from Egyptians. It was not convenient to adopt them, but they would actually work as proposed, and proved a knowledge of the passage of a current through very complicated connections. If a clerk in charge does not quickly put his finger on the cause of a fault in his office or battery, he is likely to find a subordinate who is capable of doing it for him.

“A manual in Arabic of elementary electricity has been provided, from which all can draw any further knowledge that may be required of them.”

10. *Port of Alexandria.*

The receipts and expenditure of the port of Alexandria for the last two years have been as follows :—

	1892.	1893.
	£ E.	£ E.
Receipts	136,000	132,000
Expenditure	24,000	24,000
Net revenue	112,000	108,000

The diminution in the receipts of 1893 was caused by the falling-off in the exports owing to the lateness of the cotton crop.

1,272 steam-ships with a tonnage of 1,901,356, and 961 sailing-vessels of 124,077 tons, cleared from the port of Alexandria in 1893, against 1,356 steamers with a tonnage of 1,945,497, and 936 sailing-vessels of 126,715 tons, in 1892.

46 per cent. of the total steam tonnage was British.

I regret to say that the new direct pass into the port of Alexandria is not yet open for use.

A Commission is now sitting, under the presidency of Admiral Blomfield, to inquire into the best method of proceeding in connection with this matter.

11. *Lighthouses.*

The financial results yielded by the Lighthouse Administration in 1893 were as follows :—

Revenue	£ E.
Expenditure	107,000
	24,000
Net revenue	83,000

The figures are approximately the same as those of 1892, in which year the net revenue amounted to £ E. 82,000.

The Egyptian Government is about, at a cost of £ E. 6,000, to build a fixed iron lighthouse to replace the Zenobia floating light in the Suez Roads.

Some minor improvements in the system of lighthouses are also in course of execution.

The two lighthouses intended to mark the centre of the new direct pass into Alexandria are ready to be lighted, as also are three gas buoys which will be anchored to mark out the channel.

I have on previous occasions explained that the diminution of the light dues depends upon the conclusion of Commercial Conventions between Egypt and all the Powers. I regret to say that during the past year no new Convention was signed.

12. *Khedivial Mail Packets.*

The financial results yielded by this Department during the past year were as follows :—

Revenue	£ E.
Expenses	134,000
	105,000
Net revenue	29,000

In addition to this, various unpaid services, such as the transport of troops, the dispatch of ships on special missions, &c., were performed by the Department during the course of the year. The money value of these services is estimated at about £ E. 82,000.

The revenue of this Department depends in a great degree upon whether cholera, necessitating the imposition of quarantine, appears in the Red Sea or the Mediterranean. Thus, for the first six months of 1893 the receipts were very favourable.

Cholera then appeared in the Hedjaz, which necessitated the suspension of the Red Sea service. An outbreak of cholera at Smyrna, and later at Constantinople, also led to considerable changes in the ordinary service.

13. *Army.*

The following additions have recently been made to the Egyptian army :—

Cavalry, one squadron.
 Camel corps, two companies of Soudanese, having 200 camels.
 Four companies of transport camels, consisting of a total of 450 camels, which have been established at Wady Halfa in order to render the force there sufficiently mobile to meet the Dervishes on the western desert roads leading to the Kharga Oasis.

I have already mentioned that a special annual grant of 5,000*l.* has been allowed for this service by the Egyptian Government.

The Egyptian army now consists of :—

Cavalry	..	..	..	..	..	8 squadrons.
Horse Artillery	..	..	..	..	..	1 battery.
Field Artillery	..	..	..	..	..	2 batteries.
Garrison Artillery	..	..	..	..	..	4 companies.
Camel Corps	..	..	..	..	..	6 „
Egyptian Infantry	..	..	..	..	..	8 battalions.
Soudanese Infantry	..	..	..	..	..	5 „
Transport Corps	..	..	..	..	..	5 companies.

The total numerical strength of the army, including Staff, Commissariat, &c., is as follows :—

Officers, non-commissioned officers, and men	..	..	..	15,863
Field-guns	..	..	..	18
Guns of position	..	..	..	132
Maxims	..	..	..	4
Horses, mules, and camels	..	..	..	2,736

The estimated cost of the army for the current year is £ E. 473,000.

This sum does not, however, represent the actual amount spent on the Egyptian soldier, as it includes a sum of about £ E. 23,000 for expenses which, although incorporated in the Army Budget, are not actually army expenses, such as subsidies paid to friendly tribes, the cost of the administration of the Sinai Peninsula, the cost of steamers for postal service, and the maintenance of the Assouan and Wady Halfa railways, &c.

If the cost of these services be deducted from the total expenditure, it will be found that the Egyptian soldier only costs the State 27*l.* 8*s.* per annum.

Towards the close of last year some uncertainty arose as to the relative positions of the Minister of War and the Sirdar. The matter was eventually settled by the issue of a Ministerial Order which defined the method for conducting the business of the War Office.

Subsequently, an important change took place in the personnel of the War Office. Sir Edward Zohrab was appointed to succeed Maher Pasha as Under-Secretary for War.

I need hardly point out that, in view more especially of the peculiar composition of the Egyptian army, the utmost care is necessary in dealing with all matters appertaining to its discipline and organization.

The administration of the War Office is now working very smoothly.

14. *The Soudan.*

In so far as regards the general policy of the Egyptian Government in connection with Soudan affairs, I have nothing to add to the remarks which I have made on previous occasions. For obvious reasons, the attitude of the Egyptian Government must, for the time being at all events, remain of a strictly defensive character.

I confine my observations, therefore, to a brief record of the principal events of the past year in the Eastern Soudan and on the Nile frontier, together with a short description of the internal condition of the Soudan in so far as it can be ascertained.

During the early part of 1893, Osman Digna continued to harass the tribes in the vicinity of Suakin and Tokar. As a consequence of these proceedings, the Egyptian troops were kept constantly on the alert. In June last, however, Osman Digna left the neighbourhood of Suakin, and has latterly been residing near Berber. With his departure a season of tranquillity ensued, which the recent Dervish defeat by the Italians at Agordat may have the effect of prolonging.

An insufficient rainfall and the total failure of the Baraka flood has caused some distress in the Tokar district, where the amount of land under cultivation is considerably less than it was last year.

A limited trade in gum, ostrich feathers, and ivory is carried on between Suakin and Berber, and Berber and Assouan.

On the Nile frontier the Dervishes have been more active. In July last they made a sudden descent on Beris, the southernmost village of the Kharga Oasis, which they looted, carrying off eleven of the inhabitants as prisoners to Omdurman. Although this raid was not in itself of great importance, it has shown the necessity of taking steps to protect this flank of Egypt from such inroads. Beris and Kharga are now occupied by a small body of Egyptian troops, and further defensive works are in course of construction on the Arbain road, but the large amount of water, which recent investigation has shown to exist in this western desert, renders a complete system of defence a matter of considerable difficulty. The establishment of telegraphic communication with the oases is now under the consideration of the Government.

In November the Dervishes made a determined attack on the desert outpost of Murat, midway between Korosko and Abu Hamed; the garrison of irregular Arab levies, under the leadership of Sheikh Saleh Bey Khalifa, made a gallant defence and drove off the enemy, but with the loss of Saleh Bey and eleven of his men.

As far as it can be ascertained, there has been no material change during the last year in the internal situation of the Soudan.

There have been one or two local efforts against the authority of the Khalifa Abdulla, but he has with ease suppressed them, and, by ridding himself of all who might thwart him, his power has become more consolidated.

Further emigrations of Western tribes to Omdurman have recently taken place; and the disintegration which marked the early years of the Khalifa's rule appears to have been checked by the centralization of Baggara power in Omdurman and in the principal towns of the various provinces of the Soudan.

A local revolt in Southern Kordofan has been suppressed, and the Khalifa's authority is said to be paramount as far west as El Fasher, while to the south his power extends to Reggaf, in Equatoria.

To the south-east the Dervish forces have suffered a defeat at the hands of the Italian levies at Agordat, where several important Emirs and a large number of men were killed. This Italian victory is said to have caused much stir in Omdurman, whence considerable reinforcements have proceeded to Kassala.

The recent arrival in Dongola of a Dervish force from Omdurman is thought to indicate a probable renewal of activity on the Nile and Desert frontiers.

15. Justice.

The exhaustive Report recently written by Sir John Scott* on the present condition of the native Tribunals leaves me little to say under this head.

When the scathing terms in which Lord Dufferin, only eleven years ago, condemned the judicial system of Egypt are borne in mind,† no doubt can be entertained that the progress made in the direction of establishing an improved system has been not only very real, but very rapid. It reflects credit alike on the Department of Justice and on the Judicial Service as a body. At the same time, as Sir John Scott very truly remarks, "it is only progress, not maturity. A stable system of justice is a plant of slow growth, and the closest supervision is necessary for a long time to come." I wish to express my entire concurrence with these observations. Both the members of the "Parquet" and the Judges are in many cases young and wanting in experience. Moreover, although I have every reason to believe that the administration of justice by the new Tribunals is pure, and that the corruption of former

* See Inclosure 2.

† In his General Report, dated 6th February, 1883, Lord Dufferin wrote: "At this moment there is no real justice in this country. What passes under that name is a mockery, both as regards the Tribunals themselves, and the *corpus juris* they pretend to administer." There can be no question of the accuracy of this description.

days is a thing of the past, at the same time I am not quite so confident of the total absence of bias—possibly of unconscious bias—in cases where class interests are involved, or in those which are of a nature calculated to excite passions or prejudices based on differences of race or creed. For these, and other reasons, I attach the utmost importance to the maintenance of the Committee of Control, which was created, at Sir John Scott's suggestion, some few years ago.

Before leaving this subject, I should wish to allude to one cause which has contributed in no small degree to render rapid progress possible in the improvement of the judicial system.

Every one who has paid any serious attention to the question of internal reform in Egypt knows that the difficulty of the reformer consists, not so much in deciding on what is the nature of the measures which are required to be taken, as in finding suitable native agents for carrying these measures into execution. Although, when the native Tribunals were first instituted, the difficulties in the way of recruiting a competent judicial staff were considerable, at the same time, the material out of which such a staff could be formed was not altogether wanting. A certain number of young Egyptians had already undergone a good legal training in France; and a School of Law existed which was capable of improvement, and which, now that it has been improved, is, as Sir John Scott has pointed out, doing excellent work.

Under these circumstances, it has been possible, in a few years, to create a judicial body which, although it is without doubt open to criticism on some points, is certainly for the most part composed of members whose standard of education compares favourably with that of the great body of their countrymen.

It has been far otherwise with the Executive branch of the Egyptian service. In this latter case, the material out of which a capable and upright body of public servants could be formed was, in the first instance, wanting to a greater extent than in the Judicial service; neither, until about two years ago, was anything effective done to introduce an improved system for regulating first nominations and promotions in the Executive service. I had hoped that the improved system, upon which I dwelt at some length in my Report of last year, would, in course of time, produce satisfactory results. I now very much regret to state that changes have been introduced which will, I fear, greatly impair the efficiency of the system. The matter is one which lies entirely within the competence of the Egyptian Government. I can only state my opinion that the training of a capable Executive staff is quite as important as that of providing suitable Judges for the Tribunals. Moreover, in some respects the work of education, in the broadest sense of the term, is more difficult in the former than in the latter case, for although an Executive officer in the provinces does not require the amount of technical knowledge of one particular subject which is essential to the performance of judicial functions, he is to a less extent bound by a strict code; he more often has to rely on his own individual judgment and resource, and it is notably in respect to these points that the reluctance to assume personal responsibility, which is so prevalent amongst Egyptian officials, comes into special prominence.

I may add that, on several recent occasions, transfers have been made from the Judicial to the Executive branches of the service. This system is a bad one, as it is calculated to injure the efficiency of the Tribunals, and, moreover, discourages the junior branches of the Executive service.

16. *Police.*

The total strength of the police in the year 1893 was 6,800 officers and men, including civil employés, at a cost of £ E. 215,000, or £ E. 31·6 per man.

These figures compare favourably with those of 1881 prior to the occupation, when the cost per man was £ E. 33 per annum.

During the past year forty officers have been removed for inefficiency, and their places supplied by younger men of better education. A further elimination is still necessary, but the difficulty arises of how to fill the vacancies with competent officers, the number of efficient officers from the army for transfer to the police having hitherto been very limited. An experiment was made during the past year of bringing in a small number of civilians, some of whom have turned out well, but I am informed that, on the whole, the experiment has not proved a success.

A very searching examination has been prescribed for promotion of all Egyptian police officers; up to the present, out of 218 Executive officers, 113 have passed in law. The officers are now studying their profession seriously, and the number that apply for examination is steadily increasing.

Classes for men have been established in the cities and provinces to instruct them in judicial work.

A Code of Instruction, embracing all the duties, military and judicial, of officers and men, has been prepared, and will tend to further increase the efficiency of the force.

The system introduced of placing the police under the orders of Governors and Mudirs is working well. The antagonism of the latter against the force has disappeared, and the Mudirs now report that the present organization is satisfactory.

The village watchmen in the provinces, upon whom the public security so much depends, are increasing daily in efficiency, as is proved by their resisting and capturing robbers. Their efficiency, however, depends entirely on the Headmen of the villages, and although many have been dismissed, the difficulty still remains of replacing them by more honest men.

The difficulties with regard to the protection of "ezbehs" (isolated farm-houses) are being gradually surmounted by taking severe measures with those proprietors who harbour thieves. Honest proprietors are slowly realizing that the protection afforded by watchmen provided by the police is better than paying blackmail to robbers and not denouncing them. A considerable time must, however, elapse before a system which has been in force for decades can be eradicated.

The relations between the "Parquet" and the police have undoubtedly improved, more especially during the last six months of the year.

Passing to the state of crime in the country, the police records show that, during the past year, 1,303 crimes were committed, as compared with 1,467 in 1892, and 1,690 in 1891.

These embrace :—

	1893.	1892.	1891.
Murders	353	324	387
Gang-robberies	35	48	120
Thefts with violence	428	451	503

Murders are mostly due to private vengeance. Out of 128 convictions, only 3 suffered the full penalty of the law.

Amongst minor offences, that of cattle-stealing has been reduced. In 1891, there were 906 cases; in 1892, 773 cases; and in 1893, 720 cases.

The percentage of stolen property recovered has increased from 14 to 24.

The result of police action shows a marked improvement throughout, more especially in murders, gang-robberies, thefts with violence and cattle thefts, in which cases the number of convictions obtained are as follows :—

	1893.	1892.	1891.
	Per cent.	Per cent	Per cent.
Murders	36	30	29
Gang-robberies	51	43	32
Thefts with violence	40	29	28
Cattle thefts	55	58	43
Crimes generally	36	32	30

The difficulty still exists of obtaining reliable evidence; there is an inherent dislike in natives to give any information to, or evidence before, the police and Courts.

Brigandage has practically ceased throughout the country, the bands have been broken up, and their leaders shot or captured, the last and most renowned, Ahmed Selim, being taken in December last.

The gang-robberies recorded are no longer the work of professional brigands, but are committed by villagers and Bedouins. Many of the cases reported are also due to private feuds between villages rather than intent to rob.

Colonel Settle, the Inspector-General of Police, writes to me :—

“It is admitted by all the judicial authorities that considerable progress has been made during the year in the efficiency of the police force, and that the general results obtained show a marked improvement on previous years. There is, I consider, no fault in the organization; what is wanted is better material in officers and men, which, however, is unobtainable; the only solution, therefore, is to improve that existing, and this will be the work of years.”

17. Prisons.

I have on many previous occasions alluded to the very satisfactory progress which, during the last few years, has been made in the organization of the Egyptian Prisons Department. Four excellent convict prisons have been built, mainly by the prisoners themselves. The convict establishment at Tourah continues to provide a large amount of stone used as road metal, whilst, in the workshops at Tourah, the doors, windows, and railings necessary to the construction of new buildings are manufactured. The Ghizeh Prison, also, in which the system of remunerative industrial labour has been very successfully introduced, supplies boots, rugs, saddlery, and other articles for the army. During the past year several useful additions, such as hospitals, disinfecting establishments, and barracks have been added to the existing prisons.

At the same time, much remains to be done before the prison system of Egypt can be pronounced to be in a satisfactory condition. The main defect is, that the prison accommodation is wholly inadequate to the requirements of the country. Hence arises over-crowding, with all its attendant evils.

Crookshank Pasha writes to me on this subject in the following terms :—

“Any further progress is doubtful, unless the Government seriously takes into consideration the absolute necessity of building without delay four special convict prisons at Zagazig, Tintah, Kenh, and Alexandria, in which discipline can be maintained, separate confinement carried out, and intramural industrial labour of a remunerative character enforced.

“With the exception of the hard labour convict establishments at Tourah and Suakin, and the new convict prisons at Ghizeh, Chebin-el-Kom, Assiout, and Assouan, the Moudirieh prisons are nothing more than general lock-ups for the reception of every description of prisoner, from the innocent man arrested on suspicion to the most hardened criminal lying under sentence of death, and in which, owing to their unsuitable construction and permanent over-crowding, it is not possible to apply even the most rudimentary principles of imprisonment.

“The cost of building these four prisons, with separate cells, suitable workshops, annexes, and exercise-yards, will be fully £ E. 50,000.

“In spite of all the efforts made by the Prison Administration during the year to increase the accommodation for the reception of prisoners the prisons remain as dangerously over-crowded as ever, and whether it is that justice is becoming more extended over the country, that the police are more zealous and more efficient at their work, or that the criminal classes are steadily increasing, the fact remains the same, that the number of prisoners we have to deal with increases every year, and our present daily average of individuals in prison, including hard-labour convicts, is over 7,000.”

The difficulty of applying a remedy to the state of things thus described by Crookshank Pasha is purely financial. For the time being, the Egyptian Treasury cannot meet the requirements of the Prisons Department, but I can conceive no better object to which the surplus money of the general reserve fund could be devoted than the construction of suitable prisons in Egypt.

18. Sanitary Department.

In my Report of last year I mentioned that an improved system had been introduced, whereby the Sanitary Department is allotted a certain sum in the Public Works Budget to be devoted solely to the requirements of the Department. This system has produced satisfactory results.

With the credit granted last year, which amounted to £ E. 14,000, the following works have been carried out :—

A public disinfecting station with two new machines has been provided. Two pavilions for twenty-two beds and the administrative block of the new Infectious

Disease Hospital, have been completed. The entire hospital, as far as it is proposed to build at present, will be finished early this year.

A new pavilion for twelve beds for infectious diseases has been built at Alexandria.

The Lunatic Asylum has been provided with a new kitchen, new baths, lavatories, and a new laundry, all urgently required. Cart-sheds and stables have been built at the Central Administration, and various repairs and alterations made in the provincial hospitals. As some of these are almost past repair, a sum of £ E. 12,000 has been advanced for the construction of hospitals, to be repaid by annual instalments of £ E. 2,000.

It is hoped to build new hospitals at Fayoum, Damanhour, and Beni-Suef this year.

£ E. 2,500 were devoted to carrying out the provisions of the very important and useful law which was passed in November 1892, having for its object the improvement of the sanitary condition of the mosques. A similar amount was contributed by the Wakfs Administration. Thirty-one mosques in the towns of Tantah, Damanhour, Mansourah, Zagazig, and Port Said have been put in a satisfactory sanitary condition, and this useful work will be continued until all the towns to which the Decree applies have been dealt with.

A sum of £ E. 2,200 has been added to the actual Budget of the Department, which has enabled all inspectors of provinces to be on the same footing, the provision for hospital diets to be increased, and the staff for the new Infectious Disease Hospital provided.

Provision has also been made for creating a Veterinary School in connection with the School of Medicine. It is to be hoped that students will come forward, for the supply of Egyptian veterinary surgeons is almost exhausted.

A Vaccine Institute will also be opened this year.

In so far as the general sanitation of the country is concerned, Rogers Pasha writes to me as follows:—

“As regards the general sanitation of the country, I can report little or no progress.

“The drainage of Cairo has not yet been commenced. The Final Report just published estimates the total cost at £ E. 1,100,000, instead of £ E. 500,000. The drainage scheme of Alexandria is still in the stage of preparation. Tantah has not yet got its water supply. A sum of £ E. 23,000 was voted for this purpose in 1891, but it appears the amount is not sufficient for a complete supply.

“Undrained towns and impure water-supply remain the sanitary characteristics of the country, and will, I fear, remain so for some time to come. The solution must be found, either in the Government providing the sums necessary for works, the importance of which I hope to see one day fully recognized, or in local taxation being imposed for local requirements.

“The creation of Local Commissions in nine provincial towns, with a total sum of £ E. 17,150, to be expended on local improvements, is a step in the right direction.

“It will at all events enable many improvements to be made and the towns to be kept in a state of superficial cleanliness, though the sums are inadequate for any serious sanitary works. . . .

“Turning to sanitary legislation, the year has hardly been one of progress; however, after ten months' consideration and many vicissitudes, a Cemetery Decree has at last become law.

“It gives the Sanitary Department power to remove cemeteries pronounced a danger to public health. This power must be exercised gradually and with tact, or considerable feeling might be aroused.

“A Commission has been appointed to consider the best method of dealing with the birkets,* and I trust some legislation may result from its deliberations; but the question is an extremely difficult one.

“The Sanitary Law in connection with the drainage of Cairo has been framed and submitted to the Powers, some of whom have not yet replied. On the acceptance of this Law will depend the carrying out of the scheme.”

* These are the stagnant ponds which are to be found in close proximity to most Egyptian villages.

19. *Education.*

There is much to prove that the great improvement effected in recent years in the Public Instruction Department is still, on the whole, maintained.

In the primary schools (of the higher grade) the methods as well as the results of the instruction during the past year showed an unmistakable advance upon the work of any previous year. This progress is due to steady perseverance in the educational policy adopted but a few years ago. On the one hand, the number of pupils admitted to each school was not allowed to be in excess of the accommodation; pupils were not admitted unless at the beginning of the school year; and pupils who had not attained the required standard were not advanced from a lower to a higher class. On the other hand, teachers were carefully selected. Instead of giving scholastic appointments to men who had failed in other pursuits, the Education Department required that all candidates for the post of teacher should have successfully terminated a course of normal training. This restriction of educational appointments to professionally trained teachers—among them students who, after obtaining the teacher's diploma in the Cairo Normal Schools, completed their professional course of study by attending normal schools in England or in France—secured the introduction of intelligent and effective pedagogic methods. Furthermore, the fair and uniform test provided by the examination for the primary education certificate gave new direction and stimulus to the teaching of all subjects in primary schools.

The statistics of the second annual examination for the primary education certificate, conducted last July at three local centres—Cairo, Alexandria, and Assiout—by Boards of Examiners appointed by the Education Department, are specially noticeable. The number of candidates, which was 568 in 1892, was last year 936. Of the 936 who presented themselves in 1893, 337 professed English, while 599 professed French; and among them were so many as 246 candidates not belonging to Government schools. The number of successful candidates, which was 212 in 1892, was last year 342, of whom 127 professed English, and 215 professed French. The standard of attainment required for a pass was slightly higher last year than in 1892, and in all the subjects of examination the papers of the successful candidates of last year were more satisfactory than those of the previous year. Candidates who obtain the primary education certificate are eligible for admission to secondary schools, to the Technical School, and to the College of Agriculture, and are likewise eligible for appointments in the lower division of the Civil Service.

It is not yet three years since a uniform standard of attainment was for the first time required of applicants for admission to the secondary schools. Previously, many lads who had not mastered any of the subjects of elementary education forced their way into these schools, by dint of pressure brought to bear upon the head-masters. Since 1892, the Public Instruction Department has made the possession of the primary education certificate an indispensable condition of admission to secondary schools, and this requirement has placed secondary education in Egypt on a sound basis. The pupils admitted to the lowest form in the secondary schools in October last compare most favourably in all respects with their predecessors of three years ago. During the past year the two secondary schools under the Education Department attained a high degree of efficiency both in point of discipline and instruction; and the striking improvement in the quality of the work in the younger classes of these schools points to the probability of still greater progress in secondary education being realized in the course of the next few years, provided that no radical changes are made in the programme of studies.

The recent advance in secondary education was clearly marked at the certificate examination for secondary schools held last June, when the number of candidates who obtained the secondary education certificate was forty-two, as compared with thirty-six in 1892, and with twenty-eight in 1891. Of the forty-two successful candidates, nine came from private schools, while the remainder belonged to the two secondary schools of the Egyptian Government. The secondary education certificate qualifies for admission to the professional schools and colleges, and also for appointments in the higher division of the Civil Service.

The popularity of the legal profession attracts to the School of Law the majority of the successful candidates at the examination for the secondary education certificate. In none of the professional colleges under the Ministry of Public Instruction was progress so satisfactory during the past year as in the School of Law.*

* See the remarks made by Sir John Scott in his Report on this subject.

It is matter for regret that the Polytechnic School and the School of Medicine still contrast unfavourably with the School of Law, alike as regards their present condition and prospects. It is improbable that any substantial improvement can be effected in either of these two schools until the work of each is, as in the case of the School of Law, directed by a capable European head, supported by a staff of European professors.

The two normal schools for the training of native teachers of English and of French, and of the subjects taught in English and in French respectively in the Government schools, have continued to make steady, if somewhat slow, progress. The staff of these schools and of the School of Law was strengthened during the past year by the appointment of four highly qualified European teachers, two from England and two from France.

The increasing efficiency of the Boulak Technical School was attested during the past year by evidence of a new and gratifying kind. Previously, pupils on completing their course of technical study could not find remunerative employment except in the workshops of the Government Railway Administration. Last year, however, a considerable proportion of the best pupils experienced no difficulty in securing well-paid posts in private factories.

Besides the improvement in the methods and results of instruction during the past year, progress in other directions may be recorded. School attendance and receipts on account of school fees have continued to increase. The number of pupils in attendance at schools under the Ministry of Public Instruction, which was 1,919 in 1887 and 7,800 in 1892, rose in 1893 to 9,095. Of this number, 7,610 were in attendance at primary schools, 713 at secondary schools, and 772 at the special and professional schools. The percentage of paying pupils, which had risen steadily from 30 in 1881 to 73 in 1892, increased in 1893 to 76. The revenue from school fees, which in 1881 had amounted to £ E. 2,323, and had advanced uninterruptedly to £ E. 21,247 in 1892, rose in 1893 to £ E. 23,011. In a country where school attendance is in no way compulsory, and where school traditions are all in favour of the system of gratuities, there could be no more incontrovertible proof of the growing popularity of education than the evidence afforded by these statistics.

The sincerity of the interest and confidence shown by the general public in the work of the Education Department was attested during the past year not merely by Petitions for the opening of new schools, but also by voluntary contributions collected in various parts of the country, and offered to the Department with a view to defray part of the cost of building school premises.

In view of the excellent results obtained for several years past by the Public Instruction Department, it is obviously desirable that educational reform should be allowed to continue on the new lines. Signs are not wanting, however, which cause uneasiness to the most enlightened advocates of educational progress in Egypt. In 1893, the Head of the Public Instruction Department was again changed; this being the thirtieth change of the kind which has taken place in the space of thirty-one years. Such a change in Egypt is almost invariably marked by the unsettling of school work and a reversal of administrative policy; some difficulty was experienced during the past year in counteracting the effects of a retrograde tendency. In conformity with the old-fashioned belief, that the best test of educational progress is increase in numbers, schools are being over-crowded far in excess of their accommodation and of the teaching power of the staff, while new schools, for which neither competent teachers nor suitable premises can possibly be found, are being opened at haphazard. If this system continues, a general lowering of the standard of instruction and discipline must inevitably ensue.

To sum up the position in a few words, as much progress is being made as is possible in view of the limited funds at the disposal of the Department of Public Instruction. There can be no question that a real desire for education is springing up in Egypt. There can be equally little question that the Egyptian Government is earnestly desirous of meeting the growing wants of the population in this respect. On the other hand, as regards some points, the nature of which I have indicated above, it may be doubted whether their efforts are as well directed as they are certainly well intentioned.

20. *The Agricultural College.*

This college is now in its fourth year. In June next, twenty youths, of from 19 to 23 years of age, will have had a full course of four years' instruction. The greater

number of these wish to obtain situations. During the last twelve months five applications have been made to the college for men to fill appointments connected with agriculture, and although no students have as yet completed their full course of study, these appointments have been filled by students, who now receive salaries varying from 5*l.* to 8*l.* per month. This indicates that there is a demand for men with a liberal education in scientific and practical agriculture.

A botanical garden has been provided for the better instruction of the students in botany.

The manufacture of butter by the most improved European methods, as introduced by the college, is increasing satisfactorily. Small butter factories have been established by private enterprise at Damietta, Aboukir, and Luxor.

Modern bee-keeping, a new industry in Egypt, has proved successful. Honey made by the Egyptian bee is in no way inferior to that made in Europe.

The tillage of the land for cotton by European implements has been practically shown to be successful. These implements are now bought by several of the large proprietors. Great difficulty is, however, experienced by these proprietors on account of a want of technical knowledge on the part of the farm labourer. Progress will consequently be slow until the students of the college obtain situations in the provinces.

Early Egyptian potatoes were sold in Liverpool last Easter at 25*l.* per ton. Owing to the want of knowledge of potato cultivation, several farmers have had losses in their attempt to raise potatoes for the English market. This has temporarily checked the spread of this profitable industry.

Native cows have been crossed by several of the best English breeds, and it is hoped that two new cross-breeds may ultimately be established; one a superior milking breed, and the other an improved beef-producing breed, with its working powers unimpaired.

A new and improved variety of cotton has been brought to the notice of the public. This cotton has, I am informed, a good white colour, the staple is very fine, with good length and strength. It is estimated to be worth 1*s.* per pound in Liverpool. The yield from an experimental plot was over ten cantars per acre, while no other variety gave a higher yield than seven cantars.

21. *Slavery.*

284 slaves were freed in 1893 as compared to 422 in 1892. In both years by far the greater number were Soudanese women.

The numbers of slaves who apply for manumission are steadily decreasing, a fact which shows that the possession of slaves is every day becoming less frequent.

There can be little doubt that in course of time slavery in Egypt will entirely disappear, provided continual vigilance be exercised over buyers as well as over dealers.

Notwithstanding what has been done to check the trade, it is certain that advantage is at once taken of the least relaxation in the measures heretofore adopted to prevent the introduction and the sale of slaves in Egypt, to smuggle in slaves from Tripoli or Bengazi, and dispose of them generally in out-of-the-way places where detection is difficult.

For the last three years, as no caravans with slaves had come into Middle Egypt, the stations had been withdrawn from Assiout, and all the available men had been concentrated on the edge of the desert, between Mariout and the south of Fayoum.

Advantage was at once taken of this change. Several caravans bringing slaves with them came to Minieh. In order to stop any further arrivals of slaves, Colonel Schaafer withdrew two stations from Lower Egypt and brought them to Minieh. Since then, no caravans have brought slaves into that province, but at the end of 1893, about eight months after the withdrawal of the new stations from Lower Egypt, it appeared that advantage had again been taken of the change, and that three caravans had passed slaves into Lower Egypt at the places from which guards had been removed. These facts point clearly to the conclusion that any diminution in the vigilance, which has been hitherto exercised, would at once have the effect of reviving the Slave Trade. Indeed, the Department is short of men for guarding all the roads coming from the west.

As regards the Red Sea, the position of affairs remains the same as last year. North of Suakin, where the country is well patrolled by the Camel Corps which was recently created, hardly any slaves have been able to pass for shipment to Arabia.

On the other hand, south of Suakin, the country is uncontrolled, and the slave caravans which used formerly to pass north of Suakin now go by the south.

The force at the disposal of Colonel Schaefer is at present insufficient to close this exit for slaves,

22. Conclusion.

Inasmuch as this Report deals exclusively with administrative questions, it is unnecessary that I should dwell on the political events of the past year. I will, therefore, only say that, for the time being, what Egypt most of all requires is political tranquillity in order to facilitate the consolidation of the reforms which have, during the last few years, been so successfully commenced. The consolidation of those reforms can only be secured by the hearty co-operation of the European and native elements in the Egyptian Administration. Although the facts, which I have adduced in this Report in respect to the progress made in the various Departments of the State, are sufficient to show that as yet no serious harm has been done, at the same time, I cannot conceal from myself that the events of the last year, in so far as they have tended to create discord amongst the native and European elements of the Egyptian Administration, have in some degree jeopardized the steady continuance of those reforms which are essential to the well-being of all classes of the Egyptian population. I can only express a hope that, by mutual conciliation and forbearance, all serious dissension will be obviated, and that for the future all will work together towards the furtherance of the important interests confided to their care. The Government of Egypt is carried on by an administrative machinery of such peculiar delicacy and intricacy as to require most careful handling. It cannot with any degree of prudence be exposed to frequent shocks.

I have, &c.
(Signed) CROMER.

Inclosure 1 in No. 1.

Extract from Mr. Garstin's Report on Perennial Irrigation and Flood Protection for Egypt.

I NOW come to the discussion of that portion of the project about which much has been said and written; I mean the proposed dam at the head of the cataract itself, which would necessitate the drowning of Philae Temple for several months each year, or its removal on to another island.

From a personal inspection of the cataract, I can well understand Mr. Willcocks' enthusiastic advocacy of the site. For the purpose of constructing a dam it is almost perfect. The rock throughout is, as Mr. Willcocks says, a hard and compact syenite or quartz diorite, except at the extreme left of the main channel, when the quality is not so good, though it is even here compact and capable of resisting the greatest pressure. A reference to Mr. Willcocks' plan of the cataract shows how wide and shallow is the section of the river, and how easy it would be to put in the foundations of a dam. The river in summer might be turned down one or more of the different channels, leaving the remaining ones dry. The foundations would thus be put in in the dry, which, in works for holding up water, is a consideration of the greatest importance. The rock again is so hard and compact that hardly any blasting, beyond pure foundation work, would be necessary. The lowest point of the river bed found anywhere on Mr. Willcocks' proposed line of dam is at R. L. 83 m., or 7 metres below the summer level of the river, and this depth is found only on a length of 35 metres. The average depth of water in summer may be put down as 5 metres. Another great advantage of this site is, that the whole of the under sluices would be built upon the dry reefs projecting above the level of the water in winter and summer. They would consequently be built in the dry, and as there would be seven months per annum in which to work, there would be sufficient time to complete the floors, piers, and abutments without any recourse to coffer-dams and pumping.

The alignment chosen by Mr. Willcocks follows the shallowest section everywhere, and never leaves the granite bed. It is a question whether it might not be more economical to select a shorter line, even though it necessitated working in deeper water; but the advantage of having one's work always above water-level in the working-season is so considerable, and so much more likely to insure first-class work,

that I cannot recommend any change in the proposed alignment. The only point I do not approve of in the proposed arrangements is the line selected for the navigation channel. I think that the angle at which it enters the river below the dam is so sharp as to make navigation difficult. I, myself, prefer the extreme left-hand channel of the river, and should like to see the locks constructed there. Some extra blasting would, doubtless, be necessary, but navigation would be far easier. The stone blasted from the line of the navigation channel could be used for building purposes.

I agree with Mr. Willcocks in considering the Assouan cataract (putting aside for the moment the question of the Philae Temple) as the site best suited for one of our reservoir dams, which is to be found north of Wady Halfa. I personally should have no anxiety about the absolute stability of a dam erected there. Nowhere else do we find such advantages of site; sound rock, numerous islands, a wide section, and shallow water in which to work. These advantages have their effects on the estimate in reducing the cost of coffer-dams, and the price of masonry constructed above water level.

* * * * *

Unfortunately, with every advantage in its favour as to volume of water stored, soundness of foundation, and economy of construction, this site labours under the objection (which I fear may be found insuperable) of having Philae Temple on its upstream side. No dam could be constructed on the cataract without inundating a great portion of this temple for several months every year. I agree with Colonel Ross, that no project which had this effect should be admitted, unless it were impossible to find a reservoir site elsewhere. We cannot say that there are no other possible sites; there are Kalabsha, Philae, and Gebel Silsila, which are all available, and we cannot, therefore, claim that if a dam has to be built, it must necessarily be built at the head of the first cataract, and drown the Temple of Philae.

Admitting this fact to the full, I still consider the Assouan site to be so superior to any other, that if any means could be found for obviating the difficulty which attaches to this temple, I think the subject well worth the consideration of the Egyptian Government, even although it involved additional cost to the project. On p. 36 of his Report, Mr. Willcocks suggests the possibility of removing the Temple of Philae from its present site, taking it up stone by stone, and rebuilding it on the adjacent Island of Bigeh, where it would be well above the highest water-level of the reservoir. I cannot say whether it would be possible to do this without injury to the temple. If so doing would cause any injury, or alteration of any kind to it, I should recommend the abandonment of the Assouan dam altogether. Any work which caused either partial damage to, or the flooding of, this beautiful temple, would be rightly considered by the whole civilized world as an act of barbarism. Moreover, it would be an act not absolutely necessitated by the circumstances, for, I repeat, that we have other possible though somewhat inferior sites upon which to construct dams.

If the removal of Philae Temple is however only a question of expenditure, the subject at once commands attention. In this matter, I turn naturally to Mr. J. de Morgan, the able Director of the Department of Antiquities in Egypt. If it is possible to remove the temple and rebuild it upon the adjacent island exactly as it stands at present we may rely on his ability to do so, and I ask that his opinion as to the renewal and reconstruction of Philae Temple be obtained before the project for the Assouan dam be altogether rejected.

Were the removal of the temple to be successfully carried out, I cannot myself see that it would be an act of vandalism, which, as I read it, is a term meaning the wanton destruction of interesting relics. In this case, there would be no question of wanton destruction. The Government of Egypt would duly weigh, on one side, the advantages to the country of the safest and most economical dam which could be constructed north of Wady Halfa, and, on the other, the sentiment which clusters round the site of the present temple, and objects to its removal, even if it could be done without injury. Finding the advantages to the country to outweigh the sentiment, it would proceed to carry out the work with a religious regard for every detail, and through the agency of the competent staff of the Department of Antiquities.

Removals somewhat similar to that now proposed have been successfully carried out. Mr. Willcocks mentions in his Report having himself, when at Rome, been a witness to the dismantling and rebuilding of the most ancient existing bridge over the Tiber by Italian engineers. Civilized nations in recent times have removed from their original sites and set up in other countries interesting and valuable monuments. The Elgin marbles taken from the Acropolis and deposited in the British Museum afford

an example, and so also do the Luxor Obelisk in the "Place de la Concorde, and Cleopatra's Needle on the Thames Embankment. These records of the past have been removed from their historical surroundings, and set up amongst others with which they are not in keeping. We, on the contrary, prompted by a desire to benefit the country, suggest the removal of an ancient building from one site on the Nile to another which is but a few hundred yards distant. We propose re-erecting it exactly as it stands to-day, and on an island in the middle of the great lake which we hope to create, where it would form a beautiful and appropriate object in the landscape.

The Bigeh Island is separated from Philae by some 50 metres of water. The two islands could be connected by a permanent earthen causeway without any inconvenience to the river during the entire progress of the removal of the temple. The proposed site would be about 12 metres above the highest water-level in the reservoir.

* * * * *

I have discussed this question at considerable length, and have done so intentionally. I am quite aware that this proposal will be keenly criticized, and that it will probably be received with disfavour by a large number of persons. At the same time, I feel it my duty, when discussing a point of such vital interest to Egypt as the selection of the best site for a reservoir dam, to bring to the notice and consideration of the Government this possible means of securing what I consider to be the best site, and at the same time avoiding any injury to a beautiful relic of the past. It will rest, then, with the Government to decide upon the feasibility and advisability of the work. If the decision be unfavourable, the proposed Assouan site must be struck out of our list; and the dam, if built, must be constructed at Kalabsha, south of Philae, or at Gebel Silsila. If, on the contrary, the decision be in favour of my proposal, we must add £. E. 200,000 to the estimates for the removal and reconstruction of the temple

Inclosure 2 in No. 1.

Supplement to the Egyptian "Journal Officiel" of February 17, 1894.

MINISTRY OF JUSTICE.

Report on the Progress of the Native Tribunals: 1890-1894.

I MADE no Report last year, as the excellent statistical statement of the "Procureur-Général" gave a sufficient account of the progress of the Native Tribunals; and the other branches of the Administration of Justice did not call for special notice. I think this year a Report may be acceptable to the Council of Ministers.

When I came here in 1890 I found a native system of justice recently founded on the pattern of the Mixed Codes, but it had partially failed, and required much direction and development. Since I arrived the Ministry of Justice, the Judiciary, and I have worked cordially together, not of course without occasional differences of opinion, but always with the common desire to found a sound Judicial Administration. The result of this *esprit de corps* has been steady progressive improvement, but the institution is too new to say we have yet attained our object.

Festina lente has been our motto. We have introduced nothing revolutionary. We have only developed the system we found. I will now examine the work done, and in order to give a complete picture, I shall have to touch on points already discussed in my Report of two years ago.

The first necessity of good judicial administration is the sound legal education of all who enter the judicial profession. The Judges must not only know the Codes they administer. They must be masters of those general principles of law on which all civilized Codes and legal systems are founded. This was not the case with the majority of the Judiciary as we found it. Two duties lay before us. First, we had to eliminate as far as possible the ignorant element, and we have done this steadily and gradually, never removing a Judge until we are absolutely sure we have a better man

to fill his place. This work is not finished, but it is so much advanced that the majority of Judges possess the requirements of their office. The work, however, has not sufficiently advanced to allow of the general introduction of the principle of unremovability.

Our second duty was to renovate and put new blood into the existing School of Law, which we consider the nursery of our future Judges. In this work the Ministry of Public Instruction cordially co-operated with us, and the Government agreed that for such work a strong and capable European head was for the present indispensable. We had the good fortune to find the man we wanted in M. Testoud, who sacrificed his professorial career in France to become the present Director of the School. The course of instruction has been thoroughly reorganized. The entrance examination, the yearly examination, and the final examination for the Diploma of Law have been made more severe. The principles as well as the texts of law are inculcated, the intelligence as well as the memory of the pupils are cultivated. Mussulman law, as well as French and Roman law is taught, and the pupils are so keen to learn that it is no longer necessary to insist on the compulsory nature of their attendance.

We give a natural preference to the pupils of this School, but we do not wholly exclude from the Judiciary those who have brought their diploma from Europe. The School is now so popular that the number of pupils is almost double what it was in 1890. Night classes have also been organized with great success by M. Testoud. I do not say our system of legal education is perfect, but it is an enormous improvement on the past.

One great reform seems to me to be still necessary. The professorial staff should be well enough paid to make the appointment desirable in itself, not a mere adjunct to the career of advocate or a stepping-stone to the post of Judge.

The next reform was in the existing system of judicial appointments. "*Tant valent les Juges, tant valent les lois*" is a principle which had been overlooked before 1890; and Judges had been named in Appeal as well as in First Instance who were far from possessing the necessary qualifications. For the first two years we made no written rules as regards appointments, but all who were competent to give an opinion as to the best candidate were consulted, and merit and capacity were strictly the only guides in our selection. Now that the School of Law has taken root, and may be counted upon for a steady supply of young lawyers, we have decided upon fixed rules for entrance and promotion, which may be briefly summarized as follows:—

Every candidate must possess a legal diploma. Those who have studied in Europe must pass an examination in Mussulman law and the Arabic language. Promotion depends on seniority coupled with merit. Persons outside the Judiciary may be chosen from exceptional reasons of merit in the proportion of one to three. All appointments and promotions are made by a Committee of Nomination composed of the Minister and Under-Secretary of State, the President of the Court of Appeal, the Procureur-Général and the Judicial Adviser, and the exceptional appointments mentioned above must be confirmed by the Council of Ministers. It will be difficult in the future to appoint incompetent men, and the gates are pretty well closed to favour and patronage.

The extension of Summary Justice Courts, with considerable power, both civil and criminal, throughout the country, begun in 1891 and since gradually continued, has already justified by its success our persistence in the idea, in spite of considerable opposition on the part of many whose opinions were entitled to respect. I shall subsequently show by figures the excellent results obtained; but I may mention here that the system is not new: it is applied in Germany, Italy, Norway, Sweden, England, Algeria, and India. It has also its model in the Cadi system of the Ottoman Empire.

Another branch of Judicial Reform met with still more adverse criticism, but is equally justified by its success. I refer to the Committee of Judicial Control. Its powers do not extend to the Court of Appeal, and its object is not to interfere with any particular Judgment or sentence, but, by a vigilant supervision, to maintain general purity of decision and a sound interpretation of law. It has now been at work over two years. There is no friction with the judicial body. Every Tribunal is visited in turn, monthly Returns of the judicial work are examined, "dossiers" taken at random are daily studied, and the Circulars issued by the Committee with the object of preventing negligence and errors in the future are invariably treated with respect. Without going into statistical details, which will be separately published, I may here say that there are practically no arrears either criminal or civil in any Tribunal, and the work

is not only more promptly done, but it is done with more care, and receives less modification in appeal.

At the same time many blunders are still committed. Over fifty Circulars have been issued by the Committee last year, and many of them were sent to all the Tribunals, in consequence of the prevalence of some general error. The time may come when the superintending control can be withdrawn, but for the present it operates most usefully in the development of the Tribunals. It is essentially a body that depends for its efficiency on the special qualities of its members. We have lost successively two excellent Inspectors in MM. Ali Bey Fakhri and Fathy Bey, who have been promoted to high positions in the Magistracy, and the place has not yet been filled up. I hope, however, ere this Report appears, to have found in the native Judiciary one who will carry on the work with equal knowledge, tact, and discretion.

Other important improvements have been introduced, so as to bring justice within reach of the poorest suitor. The Judicial Body have been given a regular period of vacation, which has been so arranged that, whilst every Judge gets an annual rest from his labours, the work, especially on the criminal side, does not suffer any undue delay. The advocates and pleaders who had been admitted before 1890 too readily and without sufficient consideration of their fitness, are now subjected to strict rules of admission, and no person will in future be admitted without a legal diploma and proof of respectability. The Judges, who previously wore no insignia of office, now have a distinct costume and badge, which much enhances the outward dignity of their office. Until recently the Tribunals throughout the country had no legal library, and were obliged to trust to the bare text of their Codes, their previous training, and such works of jurisprudence as they happened to possess privately. Now there is not a Tribunal in the country to which the Ministry of Justice has not supplied the best standard works in each branch of the law they have to administer. Hitherto the decisions of principle even of the Court of Appeal were not officially published and made current among the Judges for their guidance. There is now to be published officially, at regular intervals, a "*Recueil de Jurisprudence Indigène*," which will be circulated in all the Tribunals and amongst the lawyers. This step will serve to arrest the occasional tendency to conflicting decisions on delicate questions of law. Unity of jurisprudence is, however, so important as a preventive of useless litigation that a Committee of Jurisconsults, under the Presidency of the Minister of Justice, is being formed to decide authoritatively all such questions of conflicting interpretations. There is also much need, in order to inflict due punishment on old offenders, of a "*Casier Judiciaire*," by means of which the antecedents of every accused can be known to the Tribunals, and due punishment given to those who are old in crime. A "*Projet de Loi*" was submitted to the Council three years ago, but its admission was postponed for financial reasons. I hope that if the proposal is renewed it will not be again rejected, as the measure is of great importance in the interests of public security.

There is a further improvement which we are most anxious to make. The present Court-houses in which the administration of justice is carried on, are, many of them, quite unworthy of their high purpose, as well as most inconvenient and ill-adapted to their practical objects. Justice depends much for its efficiency on the respect and reverence paid to it, and the dignity with which it is conducted. Government pays the Judges well; every provision is made for their sound instruction and independence; their Sovereign always treats them with marked consideration; but in spite of all this the institution will fall short of its aim so long as it is housed unworthily all over the country. The Public Works Department does what it can for the Tribunals, but their funds do not permit of their doing anything like as much as is wanted. As a mere example I may mention that two months ago I went to a town of considerable and rising importance in the Delta, and found Judge, Parquet, Greffier, Huissier, and guard all crowded into the little waiting-room of a road-side station as their only Court-house. The parties to the twenty cases that awaited hearing were all kept standing outside on the railway platform. But it is not necessary to go into the provinces. If the Council of Ministers would only visit in Cairo and Alexandria first the Court-house assigned to the native Judiciary, and then the "local" of the Mixed Magistrates, their Excellencies would realize how important it is that native justice should be housed in a more dignified habitation.

A Circular was issued last summer by the Minister of the Interior, after consultation with the Minister of Justice, which, although it was merely declaratory of existing law, and made no real change in the Codes, has had excellent results. Owing to causes which need not here be discussed, the police, in their duties as first investi-

gators of the crime, as apart from their duties as preventors of future crime, did not act sufficiently in common with the "Parquet" to whom they were legally subordinate in such matters. The "Parquet" similarly did not sufficiently take common action with the police. It is useless to say where the blame lay. There was probably fault on both sides. But in June last meetings were held on the subject, and the Heads of the two Departments, in the presence of the Ministers concerned, came to an agreement which has definitely declared the "Parquet" responsible for the prosecution of all crime, and the police subordinate to them, and subject to their orders in the investigation of each particular offence. This was merely an official declaration of existing law, but it brought the fact home to all concerned. When chiefs are known to be working harmoniously, their subordinates are sure to follow in the same path, and friction will be prevented by the establishment of common action.

Up to this I have discussed the general progress of the Tribunals. I will now very briefly refer to their special progress in the last year. Business has increased on both the civil and criminal side. This is due to the extension of the Tribunals on the one hand and the increased activity of the police on the other.

Civil.—The number of cases tried in the First Instance before three Judges has naturally diminished since the Decree of 1892, which gave the Summary Justice Judges jurisdiction in land and personalty up to the value of £ E. 100. The number of cases heard last year by the Tribunals of First Instance was 1,500 instead of 3,400 in the year before the Decree. But, on the other hand, the number heard last year in the Summary Courts was nearly 23,000, showing an increase of 5,000 on the year before and an increase of 18,000 on the number heard summarily ten years ago. In fact the First Instance has become more a Court of Appeal than an original Court of First Instance. I am glad to say the appeals are comparatively few and the Committee of Judicial Control report that the Judgments of the Summary Courts are as a rule prepared with increasing care, and a due sense of responsibility. Before I leave this point I should like to repeat my opinion of former years, that some system of village justice, for the trial of petty claims, is most desirable. A large proportion of the cases brought before the Summary Courts are of extremely limited amount, and without forcing the people to accept village justice, I think it might be encouraged. I would suggest local Boards of Arbitration of Omdehs of a circle of neighbouring villages—three or four in number—to be formed for the settlement of disputes involving sums not over P. T. 200. I would not give an appeal, but registers should be kept recording the consent of the parties, the claim, and the Judgment. These registers should be submitted to efficient inspection. The arbitration should be voluntary and gratuitous, and the decisions should have the force of a Court of Law.

Penal.—The centre of importance in ordinary penal questions has been similarly changed by the introduction of Summary Justice Courts. All "délits" now go to the Summary Judge. Only cases of crime go to the Tribunal of three Judges.

Nearly 24,000 "délits" and over 76,000 "contraventions" were heard by the Summary Courts last year, and there was evidence enough for conviction in four out of every five cases brought to trial. It is only right to add that the *procès-verbaux* of the police show a distinct improvement, and the evidence presented by the "Parquet" is of a more convincing character. We are still, however, in a transition state as regards the nature and value of evidence. In the old days confession and the evidence of eye-witnesses were insisted on too much, and the convincing nature of the surrounding facts and circumstances was held too lightly. The police, "Parquet," and Judge are now realizing that in grave offences offenders have almost always acted secretly, and the proof of their guilt must be found in circumstantial rather than direct evidence.

The very large and increasing number of contraventions is partly due to an excess of police zeal. The chief "contrevenants" are watchmen, donkey-boys, and street disputants. A warning, or even two warnings, might precede committal for trial. As it is the Judges are burdened with a mass of very inferior work to the detriment of more important cases. A few years ago the Municipal authorities and the police disposed of "contraventions." They were transferred to the Tribunal for fear of abuse, but now that the police have so much improved, such "contraventions" as only involve a small fine, for instance those that concern coachmen and donkey-boys, might perhaps be handed back to the police authorities, to be tried by officers approved by the Minister of Justice. In any case, I think the police might moderate their zeal. Last year 107,786 "contraventions" were presented by the police, of which 24,133 were found too trivial for trial, whilst 56,000 "délits" were presented, of which 24,133 were similarly rejected, as no offence was shown by the *procès-verbal*.

Passing to the more important offences, they have slightly increased this year.

But robbery with violence, especially gang-robbery, has decreased. Indeed, brigandage properly so-called is no longer practised as a profession. Two famous leaders were shot by the police last year. A third equally famous robber-chief, Achmed Selim, was captured this winter. The village watchmen in most cases are now real guardians of order, and the police make themselves feared by their vigilance and courage. In a conversation I had with the brigand Achmed Selim in prison he frankly summed up the situation. "There are no brigands now by trade; but the fellaheen work and rob, rob and work, and will not denounce each other."

The proportion of convictions has notably increased, 721 out of 1,010, instead of 568 out of 981. This increase in the proportion of convictions is an important sign of progress. It shows that the police are able to get more evidence, which is always a difficulty when the people are not yet alive to their duty to support justice. But the fear of an accusation of crime ending in acquittal and the consequent vengeance of the accused, still leads to the concealment of many offences. This virtual encouragement of crime will not cease until villages all actively contribute to their own protection. The better organization of gaffirs has done much in this direction. But the efficient suppression of crime will not be achieved until there is only one Headman (Omdeh) in every village, carefully selected by Government, paid either by honour, privileges, land, or money, and held strictly responsible for village order. I proposed this measure three years ago, but fiscal objections prevailed. The Government now has an annual surplus, and I would suggest that an increase in public security is just as valuable to the people as a decrease in taxation. I would also repeat my proposal that districts should be held collectively responsible for undetected robbery when local negligence is shown. This measure has been found most efficacious in other countries.

The Court of Appeal is no longer overwhelmed with a mass of small work. The Tribunals dispose all that is not of first class importance, and the Judge in Final Instance can now work with deliberation, so as to found a system of jurisprudence worthy of the highest Court in Egypt. In civil matters, for instance, the Court of Appeal last year decided 615 cases instead of 1,087 in 1892. On the penal side the Court only received 2,386 appeals instead of 2,592 and 3,942 in the previous years respectively. In the other branch of judicial work, that of "Cassation," the Court heard 694 cases, and only admitted 35. This special right of appeal ("Cassation") is abused by the parties, and in the vast majority of cases the time of the Court is occupied uselessly. Some restraint of the right seems required. I have the highest respect for the Court of Appeal, and I hardly like to even suggest what might seem blame, but I would ask them whether, when they approve of the decision of the Court below, it is not best to maintain the sentence of the lower Tribunal, unless it is manifestly excessive? Trivial changes only encourage appeal and injure the prestige of the Tribunals.

In June 1893, the Tribunals of the Frontier Province which are specially constituted on account of the military character of their administration, were prolonged for another term of two years. They apply the Egyptian Codes, and are subject to the superintendence of the Committee of Control, so that they can hardly be considered "Tribunaux d'Exception" in the ordinary sense. They were carefully inspected this year by the Minister of Justice; certain changes were suggested and immediately carried out, but the general work was found satisfactory. For instance, in the whole district of Edfou, with a population of 53,000, the most important part of the frontier Province, no murder was committed in 1893, as against 3 in 1892, and no case of robbery as against 10 in 1892. But this, and the judicial arrangement for outlying places, such as Suakin, Tokar, and other oases, ought to be the only exceptional jurisdiction in Egypt. Now that there is written law in the country understood by all the people, administered by Judges worthy of confidence, in Tribunals sufficiently numerous to be within reach of all, the ordinary Tribunals should suffice for all purposes. I insisted on this two years ago, and my insistence to-day is still more justified by the subsequent progress of the Courts.

There are naturally many defects in a young institution, and perhaps the weakest point is to be found in the preparation of criminal cases by the Judge of Instruction. I have examined a very large number of "dossiers" solely from that point of view, and my conclusion is, that in nine cases out of ten the Judge does not advance the inquiry, either by obtaining more evidence, or by giving greater exactness and value to the evidence already obtained by the police and "Parquet." At the same time, the procedure before him delays justice for weeks, and even months. The effect of this delay is that, in case of a conviction, the punishment of crime loses half its

efficacy by reason of its tardiness; and what is even worse, an acquittal is often necessary, because proofs are lost, or witnesses for the prosecution are wearied out by the protracted procedure, while the defence has time to concoct any amount of false evidence.

This grave defect was most carefully examined by a Commission which sat six years ago, and in which his Excellency Boutros Pasha and M. Legrelle took part. A proposal was then made and accepted by the Legislative Council to greatly reduce the number of offences submitted to inquiry by the "Juges d'Instruction." Their object was to decrease very much his ordinary work, and to reduce the number of cases to the point where especially qualified Judges could always be assigned to the task. It was agreed that, whilst that Magistrate in ordinary cases only delayed the course of justice, he would always be, if carefully chosen, of the greatest use in important and complicated inquiries. It was therefore proposed that, for all "*délits*" and certain minor crimes, there should be no instruction before a Judge, but the case should be taken by the "Parquet" direct to the Tribunals, and the "Juge d'Instruction" should be reserved for the most important offences. This plan would throw more responsibility on the police and the "Parquet;" but my investigations all show that the course of justice would be more rapid, and not less efficacious, and I have prepared a note on the subject for the Minister of Justice. The change would throw more responsibility on the "Parquet;" but, on the one hand, that body in any difficult cases could always, through the "Procureur-Général," require a special inquiry before a "Juge d'Instruction;" and, on the other hand, the Tribunal has always the power to order a special inquiry is case the evidence is insufficiently prepared. I would add here one word as regards the "Parquet." There are over eighty members. Almost all have received a legal education and possess a degree in law, but, as a necessary corollary for the present to this qualification, they are almost all young. Time will remedy the fault, but, meantime, I would recommend that the older members of the "Parquet" should be invariably assigned to the investigation of crime, and presentation of important cases to the Tribunal, even at the risk of less excellent internal administration of their office. I have observed with great regret that the "*Chefs de Parquet*" rarely plead in Court, and even in appeal younger men often argue cases, whose forensic skill and legal experience must often be inferior to that of the lawyer who is opposed to them, whilst their youth must diminish their influence with the Court. The successful prosecution of the "*action publique*" is the chief *raison d'être* of the "Parquet," and all the rest of the work is, in comparison, of very small moment.

The Department of Justice is deeply interested in the prisons of Egypt. The improvement of the police, the better preparation of evidence, and the consequent increase in the number of convictions will fail to reduce crime if the punishment inflicted is not efficacious for either reformation or example. Yet unless the offender is condemned to "*travaux forcés*," the prisons of Egypt have not a sufficiently deterrent character. There is no prison dress, no prison drill, little discipline. The Director of the Alexandria prisons showed me certain "*habitués*" of his prison who committed crimes regularly in order to obtain food and shelter, and I am credibly informed that this is the case in all the prisons. Two Decrees have been passed, one to sanction industrial labour within, the other to permit manual labour outside the prison. The first is a dead letter in most prisons, the second is only very partially applied. The classification and separation of prisoners according to their offences is not carried out, save as regards the sexes. Murderers are often in the same ward as petty thieves. Even the little boys, condemned for small offences, are often housed with the worst criminals, and thus a generation capable of becoming useful citizens is being trained by the State to prey upon society. For the "*jeunes détenus*" I am preparing a plan which I hope may meet with approval. For the rest I would recall the resolution of the Commission which sat on the state of prisons two years ago. The blame does not rest with the Director of Prisons. The real cause is that the present prisons are not fit for their purpose, and the only remedy is to build more. Meanwhile I would submit to the consideration of the Director-General of Prisons, who under most adverse circumstances has built several new prisons, whether discipline and prison labour might not perhaps be increased even in the present establishments."

This Report, I think, justifies me in saying that there has been real progress in the administration of justice. At the same time it is only progress, not maturity. A stable system of justice is a plant of slow growth, and the closest supervision is necessary for a long time to come. The Government has done its part. It has given a written law, it has simplified procedure. It pays and educates the Judges well and

respects their independence. It executes all sentences impartially. It submits its own acts to the arbitrament of the Judges. Other things, however, remain that Government cannot do. On the Civil side there is much perjury, and no Code will insure the truthful deposition of either parties or witnesses. Crime can only be easily repressed when public sentiment is thoroughly and actively on the side of justice and order. That will come with time and education, and with the sense that justice is strong, and sure, and the same for all. The goal is not attained, but we are well on the way.

(Signed) J. SCOTT, *Judicial Adviser.*

No. 2.

Lord Cromer to the Earl of Rosebery.—(Received March 19.)

My Lord,

Cairo, March 9, 1894.

I HAVE the honour to inclose a Memorandum, which has been prepared by Mr. Garstin at my request, explanatory of the work done by the Public Works Department during the past year.

In my annual Report I have submitted to your Lordship certain observations on the Irrigation branch of this Department. I need here, therefore, only draw attention to Mr. Garstin's remarks on what is known as the "Tanzim," that is to say, the branch of the Public Works Department which deals with buildings, the drainage of towns, &c.

Two important subjects have engaged the attention of the "Tanzim" during the past year.

The first of these is the drainage of Cairo, the estimates for which have been very carefully prepared by M. Barois. It will be observed that the estimated cost exceeds 1,000,000*l.* I trust it may be found possible to adjourn the execution of some portion of the proposed works, and, by confining attention for the time being to what is essential, to reduce the expenditure within manageable limits.

The second subject is the treatment of the Ghizeh Museum. I entirely agree with Mr. Garstin that it would be far preferable to build a new Museum, rather than expend 60,000*l.* on repairing the present building.

I have, &c.
(Signed) CROMER.

Inclosure in No. 2.

PUBLIC WORKS DEPARTMENT.

Memorandum by Mr. Garstin on the year 1893.

Irrigation Branch.

THE year 1893 may certainly be described as a satisfactory one from an irrigation point of view.

The summer supply in the river was an exceptionally good one, better, in fact, than any that has been recorded since 1879.

The flood was late in arriving, and at one time fears were entertained lest it should fail to reach the height necessary to insure the irrigation of the higher lands. A late rise at Assouan, however, coupled with Major Brown's skilful manipulation of the Upper Egypt basins, removed all cause for anxiety, and, although below the average, the flood of 1893 may be characterized as a fairly good one.

Irrigation in early Summer.

In Upper Egypt there is little to record. Owing to the high level at which the water stood in the canals throughout the summer, no difficulties were experienced in its distribution.

It was, however, thought advisable to enforce rotation for some six weeks in the Provinces of Minieh and Beni-Souef, and for three weeks in the Fayoum.

In Lower Egypt the difference between 1892 and 1893 was very marked. Whereas in the former year we were obliged to caulk the Barrage gates in order to prevent any leakage through them, in the latter we were able to maintain the water level required up-stream of the work, and yet escape a fair amount down the Rosetta and Damietta branches of the river.

We thus greatly improved their supply, and prevented the entrance of the salt water at their mouths to a greater extent than was possible in previous years.

In 1892 the Barrage gates were all closed early in May, while in the year under discussion it was not found necessary to do this until late in June.

Again, the Rodah gauge, which in 1892 fell as low as 8 cubits 16 kirats, and which remained below 9 cubits throughout the whole of June and a portion of July, never in 1893 fell below 9 cubits 11 kirats.

As in Upper Egypt, rotations were enforced in June and July, although not to the same extent or with the same strictness as in the last two or three preceding years. Given proper precautions to insure their effectual working, rotations are not a hardship to the people.

In fact, by limiting the amount of water available in the canals during certain fixed periods, much waste is prevented and over-watering of the crops rendered impossible.

A good deal has been written about the hardships entailed upon the people by their supply of drinking water being reduced during the periods when the rotations are in force.

It is true that the supply in the canals is reduced, but it must not be forgotten that were this system not introduced a large number of them would be without water at all, owing to the diminished discharge of the river; also, that, before the introduction of the present improved system of irrigation, many, indeed most, of the Delta canals were completely dry each year throughout the months of May, June, and the first half of July.

The people are gradually getting used to these periods of rotation, and many of them thoroughly appreciate the good caused by them, while they all recognize their necessity.

As the system is now becoming better organized, and as the dates of closure are more widely advertised and known, the complaints against it are becoming much fewer than they were when it was first introduced.

Flood Irrigation.

The highest level registered upon the Assouan gauge in 1893 was 15 cubits 22 kirats. In consequence of such a low maximum level most of the islands in the river, and the high lands at the upper end of basin systems unconnected with those to the south of them, remained above the reach of the flood water.

Large portions of these were, however, planted with maize and irrigated by lifting machinery, so that the area of land left "sharagi," or dry, upon which taxes are remitted, was greatly reduced.

The total area of land thus left "sharagi" in 1893, in consequence of the lowness of the flood, was 8,301 feddans.

Of the above, 3,262 feddans were in the frontier or most southerly province. In Middle Egypt the greater portion was on the east bank of the river and on the islands.

Taking the Returns of the past fifteen years, the year 1880 is the one most nearly approaching 1893 as regards the maximum and duration of the flood.

In 1880 the maximum gauge reached at Assouan was 16 cubits 1 kirat, and the average gauge during the fifty-day period of filling the basins was 15 cubits 3 kirats at Assouan.

In 1893 the maximum gauge at the same place was 15 cubits 22 kirats, while the average gauge throughout the fifty-day period was 15 cubits 6 kirats.

In the former year, however, the "sharagi," or unwatered area, was 49,248 feddans, while in the latter it was, as shown above, only 8,301 feddans, or about one-sixth of the area left dry in 1880.

Much of the improvement is doubtless due to the works carried out by Colonel Ross, but still more to the excellent arrangements made by Major Brown for discharging the basins and economizing the water stored in the different systems.

In Lower Egypt, although, as has been stated, grave doubts were at one time entertained as to the possibility of irrigating the higher lands in the Delta, yet, thanks

to Major Brown's production of an artificial flood late in October, the water reached a height sufficient to irrigate all but a few acres of the very highest land.

Crops in 1893.

In spite of the excellent supply of water in the river during the months of early summer, the yield of the cotton crop of 1893 was below that of the previous year.

Final statistics of the above crop not having been yet received, it is impossible to give the exact figures. It seems to be certain that the total out-turn will be short of 5,000,000 kantars, while the crop of 1892 reached 5,200,000 kantars.

A few years ago the crop of 1893 would have been considered an immense one, and it is only on comparing it with that of 1892, which was the largest on record, that the out-turn suffers by comparison. The causes of this diminution were quite beyond the power of the Irrigation Department to control.

Although water was abundant, the climatic conditions were such that the crop suffered greatly.

The abnormally low temperature that reigned throughout the country during the early summer months necessitated in many places a second, and sometimes even a third, sowing of the crop.

The plants were in consequence very backward, and matured too late, and the first picking was some three weeks behind the average date of its commencement.

It is too early yet to give figures to show what the yield of the sugar-cane crop is likely to be.

Crushing and manufacture is still in progress in the Daira Sanieh factories. The general opinion, however, seems to be that the quantity of sugar obtained from the crop of 1893 will be at least equal to the average of previous years, and may very possibly surpass it.

The wheat crop in Upper Egypt was an exceedingly good one in the year just past.

The rice crop, on the other hand, was poor, owing chiefly to the exceptionally cool weather that prevailed during the months of June and the first half of July.

The crop was consequently very backward, and returned a poor yield, although the area planted was probably the largest on record.

As regards the maize crop, it is almost impossible to obtain statistics of the out-turn, as the greater portion of this grain is consumed in the country, being the staple food of the poorer classes.

There is no doubt, however, that, as regards both quantity and quality, the maize crop in Upper and Lower Egypt was in 1893 one of the best known.

The price obtained per ardeb was above the average.

Taking the year just past as a whole, it was a good one from an agricultural point of view; not perhaps one of the best recorded as regards results, but still a very satisfactory one, and well above the average.

Masonry Works and Repairs in 1893.

I will commence with the works carried out in connection with the Barrage repairs, as being the most important executed during the present year.

The measures adopted by Mr. Foster in 1892 for the purpose of staunching the springs under the Damietta Barrage were continued in 1893.

The measures were fully detailed in my last year's note, so they need not be again described here.

A certain portion of the clay puddle put down in 1892 had been washed away during the flood; this was replaced, and a layer of concrete in bags placed over the whole surface of the protected floor.

This system of protection has proved successful, the flood of 1893 having left the material entirely untouched.

In spite of three inlets having been closed in this manner, the springs on the down-stream side of the Barrage continued to flow, although feebly.

Shortly before the arrival of the flood another inlet, outside the limits of the area hitherto treated, was discovered. This portion of the work is being dealt with during the present year, *i.e.*, in 1894.

By working steadily in the manner previously described, we hope in time to close these inlets entirely.

Once this has been done, measures will be taken to fill up the cavity that is known to exist under a portion of the up-stream flooring.

A diving-bell, fitted with an electric lamp, was purchased in 1893 at a cost of £ E. 1,650.

This apparatus has proved invaluable in enabling us to discover the position of the spring inlets, and to thoroughly examine every part of the floor.

The total amount expended upon the foregoing operations in 1893, exclusive of the cost of the bell, was £ E. 5,230. The ordinary maintenance charges of the Barrage, including river training, amount to £ E. 11,548.

Masonry Works in Upper Egypt.

Seven new regulating heads were constructed in 1893 in the Provinces of Assiout, Beni-Souef, and the Fayoum. These cost £ E. 6,305.

In addition to the above, nineteen smaller regulators were built, and seventeen old ones put into thorough repair, at a total cost of £ E. 5,748.

The largest work at present in hand in Upper Egypt is the Etsa syphon in the Province of Minieh.

This work has for its object the improvement of the supply of silt-bearing water to the basin lying to the west of the Ibrahimieh Canal.

At present these lands are cut off by the above channel from direct communication with the river; they derive their water supply in flood from a chain of basins in which the water has already deposited the greater part of its fertilizing elements, and the yield of the land suffers in consequence.

Once this syphon is completed, these lands will be supplied direct from the river.

Several similar works have been constructed under the Ibrahimieh Canal in the last few years, and the results obtained have surpassed our expectations.

Major Brown writes that as soon as it was definitely decided to start work upon the Etsa syphon the rents of the lands to be benefited by it rose from P. E. 165 to P. E. 250 per feddan.

This work is estimated to cost £ E. 20,000, and it is hoped that it will be completed in 1894.

Masonry Works in Lower Egypt.

No special work of great importance was undertaken in Lower Egypt during 1893; a great deal was, however, done in the way of constructing small regulating heads, bridges, &c., with a view to a better and more economical distribution of the water.

Thirty-seven works of this sort were completed in the Delta provinces, at a total cost of 14,742*l.*, and £ E. 7,379 was further spent in altering old existing works so as to render them capable of being used under the system of irrigation at present in force.

Earthwork executed in 1893.

The total amount of earthwork carried out by hand labour (contract) was as follows:—

					Metres cube.	Cost.
						£ E.
Upper Egypt	..	..	..	..	13,847,132	165,686
Lower Egypt	..	..	..	..	7,728,517	85,232
Total	..	..	..	..	21,575,649	250,918

This gives an average rate per metre cube of P. E. 1.16.

The above rate is extraordinarily low, if we consider that a great portion of the work consisted in the removal of the mud and slime from the beds of the summer canals.

It proves pretty plainly how the system of public tender has brought down the earthwork contract rates, and how the native contractor has ousted the European from successful competition. The cheap rate at which we can get work executed is doubtless satisfactory, but at the same time I am of opinion that we are, if anything, letting our rates run down too low to insure efficient work being done. There have been no serious complaints as to its quality, and the Inspectors-General of Irrigation are on the

whole satisfied with it. They fully share my opinion, however, as to the advisability of fixing a rate for each class of work, below which no offers should be entertained. If the rates paid for work are too low, it must mean one of two things: either that bad work is done, or that the contractor does not pay his labourers.

In addition to the foregoing cubes of earthwork, the following were executed by dredging machinery :—

				Metres cube.	Cost.
					£ E.
Upper Egypt—					
Ibrahimieh Canal	..	..	..	371,926	14,317
Lower Egypt—					
Delta Canals	..	..	..	1,579,033	59,155
Total	..	..	..	1,950,959	73,472

It is satisfactory to note that 1893 was the first year in which the dredging cubes of the Ibrahimieh Canal fell below 400,000 metres cube.

This good result is without doubt due in a certain degree to the high summer supply that existed in the river, but it is mainly due to the action of the groins which have been constructed in the channel, and which have given it a regular section and velocity, thus greatly diminishing the deposit of silt in the bed.

Both the Inspectors-General of Irrigation speak very highly of the work done by the three European Dredging Companies. The service is good, and works with extreme regularity, and we never now hear the complaints that used formerly to be made as regards this work.

The saving in expenditure of labour to the country caused by the work taken up by the dredgers is enormous.

Navigation Works.

No new special works were carried out under this head in 1893, but materials were collected for the construction of a new lock and regulator on the Mansourah Canal in the Dakahlieh Province, and for another on the Rayyah Behera; £ E. 2,502 was spent on the collection of these materials.

£ E. 2,580 was expended in providing new lock gates on the Ismailieh Canal, and in repairing the Atfeh locks on the Mahmoudieh Canal.

Drainage Improvements.

The drainage works carried out in 1893 were entirely in Lower Egypt.

Eighty kilom. of new drains were opened, at a cost of £ E. 14,012.

Very powerful pumping machinery was erected at Kassassin for the purpose of draining the waterlogged area known as the Wadi Tumilat, in the Province of Sharkieh.

The money for this machinery was provided by the Ministry of Public Instruction, which owns the tract of land in question.

These pumps have cost, including all charges, £ E. 8,887.

The engines and pumps were supplied by Messrs. Gwynne and Co., and are of the best and most modern description.

It is hoped that the main drain leading to the pumping station will be completed in 1894.

The cost of the entire project is estimated at £ E. 24,000, and the area to be drained is some 25,000 feddans.

The drains connecting the Abugir syphon with Lake Marcotis were completed in 1893.

These cost £ E. 4,289, of which £ E. 1,300 is to be paid in 1894.

The erection of the two large pumps made over to the Government by the Abugir Reclamation Company was completed in 1893.

These pumps were given to the Government in consideration for the Concession granted to the Company of draining its lands by gravitation into Lake Marcotis.

They are used for the purpose of keeping down the water surface of this lake to a

certain fixed level, and thus enabling the drains of the Behera Province discharging into it to work efficiently.

The drainage of this province is, however, increasing so rapidly that we shall ere long be forced to supplement the power of these pumps, powerful as they are.

The amount spent upon their erection in 1893 was £ E. 2,147, and the working charges for pumping were £ E. 3,533.

£ E. 8,075 was spent in clearing existing drains in different parts of the Delta of silt and weeds.

Owing to the special loan for drainage being exhausted, there is now no money available for the construction of new drains beyond the funds at our disposal in the regular annual Budget. This sum is very small, owing to the demands upon our allotment for other urgent works. We are at present engaged in drawing up an estimate for the new drains, which are most urgently required.

Nile Protection.

£ E. 14,288 was spent upon the purchase of stone and the construction of groins in the six Delta provinces.

£ E. 1,903 was spent upon the purchase of sacks and timber for the same purpose.

Agricultural Roads.

In Upper Egypt no new roads were constructed in 1893.

The inhabitants of the Fayoum were, however, so pleased with the 152 kilom. of road already opened, that they petitioned for other roads to be made.

A project was accordingly drawn up for constructing 100 kilom. of new roads in 1894, to be paid for, according to the Road Decree, by a tax of P. E. 4 per feddan on the cultivated land.

The Omdehs and Sheikhs were not, however, satisfied with the above quantity, and asked for a still further development of the road system.

At the Provincial Council 50 kilom. more were voted, the tax per feddan being raised to P. E. 6.

These roads will be put in hand in 1894.

In Assiout Province also the people have petitioned the Government for the construction of roads.

In Lower Egypt 77 kilom. of new road were carried out in 1893. These cost £ E. 14,268, but this sum includes certain arrears due for roads made in 1892.

Many iron bridges were constructed in connection with these roads, one of which, on the Rayyab Behera, cost £ E. 3,000.

There are at present 649 kilom. of agricultural roads open in the Delta provinces; these include 241 kilom. taken over from the State Domains Administration; but the balance has been constructed since 1890, when the first roads were made in the provinces.

403 kilom. of new roads have been voted by the people and sanctioned by Khedivial Decree. These are to be commenced in 1894, but their construction is to be distributed over a period of three years, so as to lessen the tax paid in any one year.

By the end of 1896, then, there will be some 1,050 kilom. of road in the Delta provinces, without counting several hundred kilom. in Upper Egypt.

Payment of the Nile Corvée.

A very important experiment was introduced in 1893—I mean that of paying the watchmen on the Nile banks during the time of flood a small daily wage.

This system of guarding the banks of the river during flood is the only corvée at present existing in Egypt.

It does not entail nearly so great a hardship on the people as is commonly supposed, and in this respect is not to be compared with that which used to be caused by the clearance of the canals by means of forced labour. At the same time it was felt that, if possible, something should be done to mitigate the inconvenience caused to those who had to leave their homes and guard the banks for some two and a-half months of each year.

The subject was carefully considered by the Government, with the result that it was decided to try the experiment of paying the watchmen a small sum daily.

The experiment was to last for three years, as it was felt that satisfactory data could not be obtained in a shorter period of time.

It was to be on a limited scale, only three districts having been selected in which to try it during the first year.

Unfortunately the flood of 1893 was such a low one that the experience gained has not been sufficient to enable us to base any definite conclusions upon it.

We have, however, learnt a good deal by it, one thing being that the people willingly come out and work for payment, and another, that it is possible to insure each man employed receiving his daily wage.

The experiment was, as I have said, carried out in three districts, two in Lower and one in Upper Egypt.

The total length of kilom. taken up was—

							Kilom.
In Upper Egypt	..	..	..	..	..	..	159
Lower Egypt	..	..	..	..	..	..	111
Total	..	..	..	..	..	..	270

The total cost of the experiment was £ E. 3,382, which brings the average cost per kilom. £ E. 12.5.

In Upper Egypt the conditions were rather different from those in Lower Egypt. In the latter there is only the actual Nile bank to be protected, while in the former there are the basin banks as well.

Many of these latter during flood time require more costly protection than the Nile bank itself, as, owing to the strong prevailing winds, waves are caused in the basins which rapidly eat away the bank, if unprotected with stone, grass, or staking.

Of course the cost of protecting the basin banks is much the same yearly, whatever the height of the Nile flood may be, as the full supply level of the water in the basins is not allowed to vary.

Although, therefore, the experience gained in 1893 regarding the cost of protecting the Nile banks was, owing to the lowness of the flood, inconclusive, yet the figures obtained regarding the cost of basin bank protection will be most useful for future guidance in framing our estimates.

Major Brown found last year that the cost of this latter item varied from £ E. 11 to £ E. 18 per kilom. of bank guarded, according as one side of it was revetted with stone or not.

The system followed in paying the watchmen was the same in both Upper and Lower Egypt.

The banks were divided into sections, with an assistant engineer in charge of each.

These latter patrolled their sections daily, counting the men present, and giving to each one a printed ticket.

A superior member of the Irrigation Service worked constantly up and down the whole length in a boat.

He carried a treasure chest and a guard with him, and was accompanied by a Mudirieh official and a "sarraf" or native cashier.

This latter entered the daily payments in a cash-book, while the disbursing officer checked daily the balance of money remaining in his chest.

Each section was paid by him personally every fourteen days, and the daily tickets given to the watchman were taken back and registered as vouchers.

The Sheikhs, who were in the proportion to the watchmen of 1 to 19.5 in Upper, and of 1 to 15.5 in Lower Egypt, were paid P. E. 4 daily, while the watchmen received P. E. 2 per diem.

In Upper Egypt there were 32,720 men and 1,672 Sheikhs called out for an average of fifty days.

In Lower Egypt 49,059 watchmen and 3,164 Sheikhs were called out for an average of eighty-two days. In this latter part of the country the high flood lasts longer and rises to a greater height above the country than in the former. This accounts for the greater number of men required and the longer period of time for which their services were needed.

The whole of the above were called out in the usual manner by means of the Mudirs, who were also requisitioned for the materials required for protecting the banks. These materials were paid for on the spot.

The Inspectors-General of Irrigation in Upper and Lower Egypt differ in opinion as to the results of this experiment.

Major Brown thinks the system of payment by a daily wage an unsatisfactory one; his chief reason for this opinion being that an enormous staff would be required to superintend the payment of the men were the experiment to be carried out upon a large scale. He also thinks the daily wage of P. E. 2 insufficient, and recommends raising it to P. E. 3 per diem.*

Mr. Foster, on the other hand, is of opinion that the daily rate of P. E. 2 was highly appreciated in Lower Egypt, and that to gain it the people would have turned out on the banks themselves without our having to ask the aid of the Mudirs.

He states that greater numbers of men were at first employed than were actually necessary, in consequence of our ignorance as to what height the flood would eventually attain. As soon as this had declared itself the extra men were dismissed. Mr. Foster fully admits that the staff required, if the experiment were to be carried out on a large scale, would be enormous, and this is one of the greatest difficulties that will have to be surmounted if the system is to be introduced generally in the country.

My own opinion is that we cannot, upon the experience gained in such a low flood as that of 1893, formulate any definite theories as to the total cost to the country of paying the Nile watchmen, and I am not yet prepared to make any definite proposals to Government on the subject.

I think it absolutely necessary that this experiment be carried on for another couple of years before we can with any certainty lay down an accurate plan for its introduction throughout the country.

I am of opinion that we should, supposing the necessary funds can be found in 1894, try Major Brown's proposal for employing contract labour upon a limited scale.

On the basin banks in Upper Egypt this system might, I think, be introduced with advantage, but as regards the Nile bank I am, and have always been, extremely doubtful as to the advisability of employing contractors.

The risk of a possible failure is so great, and no forfeiture of deposit money by a contractor could in any way safeguard us against the possible loss to the country that might be occasioned by a breach in the Nile bank during high flood.

At the same time, as I have already said, I see no objection to trying the experiment upon a limited scale in Upper Egypt.

In Lower Egypt the danger of a rupture of the bank is so much greater that I am averse to trying protection by contract at all until we have observed the result in Upper Egypt.

There is no doubt that, if the Nile corvée is to be replaced by paid labour on a large scale, a very heavy annual charge will have to be met, and a serious addition to our annual expenditure will be necessitated.

It is too soon to attempt to estimate what this sum will be.

I may mention here that in 1893 the watchmen on canal banks during the flood were almost entirely abolished in Lower Egypt.

The men also who had previously been requisitioned for the purpose of working the regulating timbers during the same period were for the first time on record paid a daily wage. The total sum expended under this head was £ E. 805.

The Mudirs took the greatest interest in the successful working of this experiment, and gave us every possible assistance.

The native cashiers were found to be of little or no use.

Nile Reservoir Projects.

These were completed by the end of December 1893.

As the Reports have been printed and presented to Government, and as the European Technical Commission appointed for the purpose is at present studying them, I will do no more than record this fact.

Staff.

The irrigation staff, both European and native, worked well, and up to its standard of efficiency.

The Inspectors-General of Irrigation managed their respective charges in a most

* He, moreover, strongly recommends that the experiment be tried of intrusting the protection of the banks to contractors paid at a certain fixed rate per kilom.

able and effective way, and were well seconded in their efforts by the Inspectors of Irrigation and their subordinates.

The experiment of introducing Egyptian engineers into posts of responsibility, which was alluded to in my note of 1892, has proved, on the whole, a success.

One of the native Inspectors of Irrigation, and both the native Assistant Inspectors, are very highly spoken of by their respective chiefs.

The other Inspector has not, I regret to say, proved altogether a success.

It is, however, a hopeful sign for the future of Egyptian engineers, when at the end of a year's trial we can say that three out of the four men specially promoted have proved themselves worthy of the trust reposed in them.

Works other than Irrigation.

Project for the Drainage of Cairo.

The project for the drainage of the town of Cairo was brought to completion in 1893 by M. Barois, Secrétaire-Général of the Public Works Ministry.

The detailed estimate for this project, as prepared by him upon the lines indicated by the International Commission in 1892, amounts to £ E. 1,010,000, or more than double that of the Commissioners, which was £ E. 500,000.

The reasons for the above great difference are as follows:—

The Commissioners' estimate was avowedly an approximate one; they had no data at their disposal upon which to base accurate calculations, and, moreover, in addition to the sum estimated by them, they recommended the execution of large supplementary works, such as the piercing of new streets through the most crowded portions of the city, the paving of the native quarter, &c.

All the above have now been estimated for, with the result that the original sum calculated as necessary has been very largely increased.

The detailed project was submitted in September 1893 to the members of the International Commission, and received their unanimous approval.

Apart from the financial question, however, there are other obstacles in the way of a final decision being taken by the Government in this matter.

Two projects intimately connected with it have been submitted to the European Powers for approval.

These are:—

1. A proposed Law empowering the Egyptian Government to enforce the necessary Sanitary Regulations required to insure the proper working of the drainage scheme upon persons of every nationality.

2. A proposed Law for facilitating the acquisition of land required for public purposes.

The assent of the Powers not having been as yet obtained to the above, it is useless to consider the question of the execution of the drainage project.

Without these two Laws, any scheme for improving the drainage of the city would be valueless, inasmuch as the Egyptian Government could only enforce their provisions upon Egyptian subjects, while foreigners would be free to evade them, and defy the agents of the Government when attempting to enforce them.

The entire work of the preparation of the above project was carried out by M. Barois, in addition to his regular work in the Public Works Ministry.

The labour thus entailed upon him was very great, and he received the thanks of the Government for the very able manner in which he had performed the special duty intrusted to him.

Ghizeh Museum.

The question of protecting the existing Museum from danger of fire has been for some time occupying the attention of the Government.

The Public Works Department have submitted estimates for altering the existing building and rendering it fire-proof.

These estimates amounted to £ E. 60,000.

At the same time, the above Department gave as its opinion that it would be preferable to construct an entirely new building at a cost of from £ E. 100,000 to £ E. 120,000.

It based this opinion upon the facts that a new building could be designed, so as to better meet the wants of the Museum than does the existing one, which, even if altered, would still possess grave defects in the way of arrangement.

The new Museum would also be situated in the town itself, and thus the inconvenience caused by the distance of the present building from Cairo would be avoided.

The matter is now under consideration.

(Signed) W. E. GARSTIN,
Under-Secretary of State, Public Works Department.

Cairo, March 9, 1894.

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